

## Minutes

### Crook County Natural Resources Committee

November 13, 2024

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

**Members Absent:** Cliff Kiser, Casey Kaiser

**Guests Present:** Scott McFarland (FS), Chris Joosen (FS), Jodie Barram (OLWF), Isabella Isaksen (FS)

**Public Present:** John Breese, Gayle Hunt, Scott Johnson, Shane Howard, Mike Ervin, Justin Alderman

**Meeting was called to order** at 1:00 p.m. by Chair Steve McGuire

#### **Pledge of Allegiance**

**Minutes:** Bill McCormack moved to approve the minutes of the October 9, 2024 meeting as presented and the Agenda for 11/13/2024 as corrected. Lynne Breese seconded. Motion passed.

#### **Agency Updates:**

**State Parks: No Report**

**BLM Report:** Tim shared an email from Lisa Clark (Deschutes Resource Area Manager, BLM) that contained an update from BLM (attached).

**Scott McFarland, District Ranger, Ochoco National Forest** provided the FS update. Included in the updates was a monthly report (attached). Scott provided updates to the Crazy Creek Fire (fully contained/controlled) and the area is now open except for Big Springs campground which is still closed to the public do to safety concerns. Rail Ridge fire is now contained and will be declared controlled within the coming week. Wiley Flat fire is contained and controlled.

Scott reported that the Coral Flat trail decision was signed last week and will move forward next week.

Questions about salvage harvest and dead tree sales were discussed. FS is talking to industry to determine demand for fire impacted logs. Scott said there was a 1 year time period from fire to processing to get usable logs out of the forest. Along the 42 road, approximately 550 acres of salvage has been identified and NEPA will begin soon and no later than early spring. For the Rail Ridge fire, a Rapid Assessment Team is working on an assessment report, it is anticipated that more acres (greater than the Crazy Creek fire) of salvage will be identified. Acreage limitations set by FS will limit what can be done under a Categorical Exclusion (CE) and acreage limits for hazard tree removal may also apply, requiring higher levels of NEPA review.

John Breese asked about log decks created during firefighting activities, Scott said that all decks created during the Crazy Creek fire have now been sold. A couple of decks near Rager Ranger Station are being sold for commercial firewood. Scott estimated that approximately 3 – 4 million board feet between the Crazy Creek and Rail Ridge fires was cut and decked during the active firefighting activities.

**Sunflower Allotment update.** The Sunflower AMP decision was signed by the FS in the fall of 2021. Scott McFarland (District Ranger) provided an update on the implementation of that plan. This summer the Rail Ridge fire burned through and impacted almost 100 percent of the allotment. The initial days of the fire produced higher fire severity impacts to the landscape. Scott reported that all road closures and other transportation projects in the Plan have been completed, approximately 260 acres of thinning (pd by Turkey Federation Grant) are done and an additional 1000 – 1200 ac of thinning work will begin soon (pd for by mule deer monies). The fire behavior of Rail Ridge skipped much of the juniper stands and burned some fencing and water developments. Scott indicated that a spring tour of the area is a good idea and will work with Tim to get something scheduled.

The **BLM (nationwide) has issued an update to its sage grouse management plan.** Tim reported that the local BLM office will provide him with an update in regards to how changes will impact local, permitted activities. Tim expects that information within a week or two.

Discussion on the **Big Summit Prairie update** was led by Mike Lunn. Mike talked about the meeting of the subcommittee appointed to flush out the topic which was held on Oct 16 in the Extension Conference room. Mike presented to the Committee a summary of that meeting (attached). Mike pointed out that the subcommittee talked about the rich history of the Prairie, its uniqueness in both its history and its ecological values. Mike shared that it was strongly felt that there needs to be respect shown to the current owners and values of private ownership. The subcommittee did share that they hoped that this portion of the Prairie did stay intact, under a single ownership and that future management of the property recognized the custom and culture and historical uses of the prairie.

Discussion by the whole Committee was held next. Issues discussed were the current legislative limitations (Week's Act and the Act passed in 1956) which limit Forests from expanding beyond 3000 ac without additional congressional authorization, the property in question is outside of the existing boundary of the Ochoco National Forest and that the property is currently in a split estate (surface and mineral rights are not owned by the same party).

Under public ownership, the concerns discussed included the time it takes to create a management plan and NEPA, sometimes 4 or more years. This timeline adds uncertainty to local concerns that public ownership would recognize and continue with existing uses. Committee members expressed a frustration that there are still many, unanswered questions regarding management and funding. Committee members also expressed concern that new, private ownership could partition the property into many, smaller parcels, impacting the area in a negative way.

Currently the FS is seeking support from the County for them to continue to explore the possibility of public ownership of this portion of the prairie. Many questions about process would be answered if they were to move forward and many steps (authorization to exceed 3000 ac. increase) still must occur.

Chairman Steve McGuire asked the Committee members how they wanted to proceed. Each member was given a chance to respond.

Steve said he felt the Committee did not have enough information to move forward and the Committee should devote no more time to the topic until such information is made available either by the FS or by others. Steve said he didn't see how the FS could purchase the property at its current asking price because he believes the property will not appraise for the asking price.

Lynne said she was hoping that there would be more public meetings, at least one, to share with those who are interested in the issue.

Frank is opposed to the idea and believes the public should be more involved, ask them what they think.

Bill believes the County should not be involved in private land sales. It is up to the current landowner to do what they want to do.

Mike said there should be more public involvement and the Committee could help facilitate that discussion.

Calista said she has yet to hear from any public that they want the County to help move this idea forward. She is concerned that the sellers are not involved in the conversation. She is not ready to help the process move forward.

Andy said there were still too many unanswered questions. He said he doesn't know what the FS would do with the property if they got it, he also doesn't know what a private buyer would do with it either. He said it is important that the Committee has been able to highlight some of the issues (subcommittee report).

Kim indicated that she is still interested in getting more information about the possibility of creating some type of public ownership. Perhaps with special designations that protect and recognize the custom, culture and historical uses of the prairie. She is concerned that without involvement, growth will go unmanaged and that is not an acceptable outcome either.

Melinda said she believed that there is still a lot of work to be accomplished by someone before anything can move forward. She suggested sending the Board of Commissioners a letter about the Committee's current findings and asking for next steps.

Discussion about all these points occurred. Isabella (Public Information Officer ONF) again emphasized that the FS is looking for direction/support on whether or not to move forward, exploring/pursuing the option of public ownership.

Mike again emphasized that we "don't need to mess up the negotiation of a sale".

Steve asked for any public thoughts by those in attendance:

Mike Ervin asked Frank, Calista and Bill to clarify cautionary comments they made as they discussed their opinions about the Big Summit Prairie topic. Why would Frank not recommend the FS move forward, what additional information would Calista need in order to give the County a Committee nod to move forward and to Bill, why shouldn't the County be involved in a private land sale.

Shane Howard asked the FS if they knew of any threatened or endangered species (plant or animal) that might be on the property. The FS answered they did not know of any.

John Breese expressed his concern and that he was not in favor.

Kim Vogel moved to have the Committee (Tim) submit to the Board of Commissioners, the subcommittee report with the recommendation that due to a lack of information at this time, the Board of Commissioners not support any action in regards to public acquisition of Big Summit Prairie (Waibel property) until such time as more information is made available. Also, that the Committee would take up the topic again if additional information on the topic was provided by the Forest Service. Frank Seconded.

Yes votes: Steve, Lynne, Andy, Melinda, Mike, Bill, Frank, Calista, Kim

No votes: none

Motion passed.

### **Public Comment Period**

Justin Alderman with Prineville Review introduced himself and shared 2 letters outlining his concerns about the function of the NRAC and its possible violation of Oregon public meeting laws. Specifically points including the publication of meeting notices, timeliness of minutes of meetings made available to the public and the lack of public notice of the subcommittee meeting on the Big Summit Prairie issue. Mr. Alderman also requested that Prineville Review be added to list of those receiving meeting notices.

Mike moved to adjourn. Frank Seconded. The entire committee voted in favor, motion passed.

Meeting was adjourned at 2:50 p.m.



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**Info for today**

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**From** Clark, Lisa M <lmclark@blm.gov>  
**Date** Wed 11/13/2024 11:12 AM  
**To** Tim Deboodt <Tim.Deboodt@crookcountyor.gov>  
**Cc** Mckinney, Stephanie D <smckinney@blm.gov>

Hi Tim -

I apologize for not making it today - this is the week of our annual fire and aviation leadership meeting for Oregon/Washington BLM and with other folks out hunting or sick, I don't have much in the way of backup! I know Steph sent you an email and will follow up with additional topics later this week, but I wanted to send a couple your way today to prep for discussion next month. I'll be at the meeting in December, so if you want to introduce these, I'd love to have a follow up discussion on the last two then. Thank you!

Lower Crooked River - the Deschutes Field Office is having repeated issues with vandalism and theft at campgrounds along the river. Thieves are attempting to fish payment envelopes out with hangers (usually leaving the envelope and contents in shreds) or trying to cut locks and chains securing the fee tube inside the iron ranger. Staff are working with our BLM law enforcement on the issue and plan to add cameras to areas with repeated attempts. We have also added a winter camp host at Big Bend to help patrol and make public contacts.

Lower Crooked River campgrounds - the Deschutes Field Office is doing an analysis of campgrounds in Oregon with similar amenities to determine a reasonable increase to the cost of overnight stays. Based on a preliminary look, campgrounds with similar or fewer amenities are charging \$15-20/night and the current rate for our campgrounds is \$8/night. The field office received no funding for recreation operations last year and don't anticipate operations funding this year. Increasing the fee to \$15/night would provide fiscal support for supplies like toilet paper, water testing, minor campground improvements (replacing fire rings, signs, etc.), garbage service, vandalism/repairs/maintenance; as well as helping fund our seasonal employees, which are generally paid out of operations funding or fee dollars.

Juniper Canyon development - the Deschutes Field Office is struggling to address the significant amount of trespass due to rapid development in the canyon as well as old trespass that hasn't been addressed. New builders are unaware of requirements to obtain rights-of-way to construct roads and driveways across BLM and are building without authorization. The field office is planning on completing a thorough assessment of public lands in the canyon, and will address existing trespass on a case-by-case basis. Working with the NRAC, we would like suggestions as to how to pair county building permits with a requirement to demonstrate proof of access; as well as to be able to work with the county to plan ingress/egress to large blocks of land where access is required across public land. The BLM is willing to work to authorize a main entrance and an alternate exit in a way that minimizes fragmentation of public lands; however, often individuals buying lots want "their own" access and expect individual routes across public land. At the same time not everyone in the

development is willing to share the cost of obtaining a right-of-way. As a result, those that don't get a ROW benefit from the work that their neighbors do to get a ROW and build access. We will appreciate the committee's input on this!

Lisa Clark

Field Manager

Prineville BLM, Deschutes Field Office

Work (541) 416-6864; Cell (541) 280-9560

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**Crook County Natural Resources Advisory  
Committee**

Ochoco National Forest & Crooked River National  
Grassland  
November 13, 2024

Multiple fires have impacted the Ochoco National, including the Crazy Creek Fire, Rail Ridge Fire, and the Wiley Flat Fire. Many previously planned projects have been paused or are being reevaluated due to the unprecedented activity.

**Fire Updates**

**Rail Fire:**

Caused by multiple lightning starts on September 2<sup>nd</sup>, the Rail Ridge is currently being managed by a local type 4 team. At the time of this report, the acreage is 176,661 and is fire 100% contained. A Burned Area Emergency Response (BAER) team completed an assessment and the following activities have been approved and funded: Early Detection and Rapid Response (EDRR) surveys for invasive plants and treatment in high priority areas where native plant communities are at unacceptable risk to known nearby invasive plants; storm inspection and response to keep culverts and other drainage features functional by cleaning sediment, rockfall and debris; hazard warning signs at nine (9) trailheads on six (6) named trails; and guardrail repair on the Sunflower bridge.

**Wiley Flat Fire:**

Started on September 2<sup>nd</sup>, caused by lightning, the Wiley Flat is currently 28,396 acres and is located within the Maury Mountains on ONF, BLM, and private land. This incident is currently being managed by a local type 4 team and is 100% contained. A BAER team has completed their assessment and the following activities have been approved and funded: Early Detection and Rapid Response (EDRR) surveys for invasive plants and treatment in high priority areas where native plant communities are at unacceptable risk to known nearby invasive plants; storm proofing drainage features identified on high value roads that have an unacceptable risk to damage or failure due to increased post-fire flows; removing culverts at two locations, NFSR 1700130 on Pine Cr and NFSR 1690 at Wildcat Cr, that have unacceptable risks from post-fire flows and potential plugging; install dips to control where overtopping will occur to prevent loss of road infrastructure and increased sedimentation; and install road hazard signs to inform users of the dangers associated with entering and recreating within the burned area.





### **Crazy Creek Fire**

Started on July 22<sup>nd</sup> caused by lightning, the fire is 86,968 acres and 100% contained. BAER assessments have been completed and been approved and funded: Early Detection and Rapid Response (EDRR) treatment in high priority areas where native plant communities are at risk to known adjacent invasive plants; storm proofing (cleaning culverts, removing debris from ditches, and enhancing ditches and catchment basin capacity) existing drainage features on critical value roads that have an unacceptable risk to damage or failure due to increased post-fire flows; installing a new drainage feature- rolling dip to drain water effectively from the road surface and prevent concentration of water; modifying a culvert to direct flow into inlet and prevent further erosion; and install signs to inform users of the dangers associated with entering and recreating within the burned area.

The Paulina Ranger District is initiating the NEPA process to address the removal of roadside hazard trees through commercial salvage sale(s). This is one tool to abate the hazards that exist along forest roads and to provide safe access to the public, which is a high priority for the District Ranger.

### **PROJECT PLANNING UPDATES**

#### **North Fork Crooked River Resiliency Project**

The Paulina Ranger District 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 and is located about 31 miles east of Prineville, Oregon, and 9 miles north of Paulina, Oregon. A final Environmental Assessment and draft Decision Notice was issued for a 45-day objection period ending October 28<sup>th</sup>. The Forest Supervisor will review and respond to objection issues before the District makes a final decision on the project. The proposed decision includes vegetation management on about 6,500 acres. The Crazy Creek fire impacted the eastern portion of this project area, which will therefore not be included in the decision for vegetation management.

#### **Corral Flat Equestrian Trails Project**

The Corral Flat Equestrian 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 Lookout Mountain and Paulina Ranger Districts. The trail routes are coincident with Forest Service system roads (both open and closed) and non-system two-track roads and closely follow the route of a longstanding annual equestrian endurance ride. This project would also involve rehabilitation of areas damaged by OHVs, and improvements of road closures to prevent future damage. The Forest signed the final Decision Notice for this project on November 5<sup>th</sup>. Implementation will begin next year.







### **Jackson Watershed Fuelbreaks CE Project**

The Paulina Ranger District issued a public scoping notice for a proposed fuelbreak project on July 29, 2024. The district hosted a public field trip with the Ochoco Forest Restoration Collaborative on July 16<sup>th</sup> and input was accepted until September 30<sup>th</sup>. This project will create up to 3,000 acres of shaded fuelbreak along major roads around the Jackson Watershed by removing trees and brush, maintaining largest overstory trees, and conducting pile and broadcast burning. The Crazy Creek wildfire impacted portions of this project area. We anticipate the Decision Memo to be issued in December.

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.



October 27, 2024

To: Tim Deboodt, subcommittee (SC) for Big Summit Prairie

Draft Report to CCNRAC

On 10/16, the CCNRAC members Kim, Melinda, Calista, Cliff, Mike, Tim, and Forest Service Representative Kevin Keown (FS) met in the Extension Office to discuss the ongoing possibilities for future management of the Big Summit Prairie. The owner, Waibel Properties LLC has offered the approximately 9020 acres for sale for \$20,000,000. Recently, a consortium of potential buyers has begun to explore the possibility of purchasing the property (bridge funders) and re-selling it to the Federal Government for management by the Ochoco NF.

The CCNRAC SC was tasked with exploring different aspects of the proposal and documenting those for the full committee to determine what if any further steps need to be taken at this time. Each member of the SC had listened to discussions in the previous two Committee meetings (Sept and Oct), and also brought their own thoughts and knowledge to the meeting. The initial step was for each person to describe their initial perceptions. Those include the following:

- Big Summit Prairie (BSP) is an iconic and unique feature of the Ochoco Mountains, homesteaded early in the settlement period and the Post Office of the Meadow was located on the Prairie, established on December 21, 1910 and renamed Ochoco in 1919.
- The majority of BSP is owned and managed by 2, separate private ownerships.
- The portion of BSP that is under consideration at this time is approximately 9020 deeded acres which are excluded from the Ochoco NF by the Declaration establishing the NF in 1911. It is surrounded by NF and Public Lands (BLM) on all sides.
- The lands have been grazed for nearly 150 years. The subcommittee strongly supported properly managed livestock grazing into the future.
- Consistent support was shown for future management to include maintaining an intact ownership, not subject to being sold off in parcels. It was noted that the BSP is not zoned at Exclusive Farm Use -1 (EFU-1) that would limit parcels to 320 acres or larger, but rather Forest, within which parcels would be limited to 320 acres, and with some finagling, down to 220 acres so long as at least 100 acres are owned elsewhere in the County, or even 80 acres with no ability to build permanent homes. This type of breakup would devastate the values for fish and wildlife habitat, grazing, scenic beauty and other features of the beloved area.
- Riparian meadows and streams are an important features of the BSP as water flows and seeps into it from all sides, to be slowly released downstream into the North Fork Crooked River. Some of the oldest existing water rights in Crook County are tied to BSP.
- Both above and below the BSP the North Fork Crooked River is classified as National Wild and Scenic River (1988). Assuming a change in ownership and management to public ownership and management, there would be strong interest in completing the inclusion of the entire length of the North Fork in the National W&S River System.

**FS Discussion** – Kevin provided information and answered questions about the potential project to enable the subcommittee to better understand what is going on. He was also able to explain

the types of information that the FS can and cannot share at this point in time. What process steps would be necessary for the Forest Service to gain management authority for those lands?

A complicating factor for the FS to gain management of the BSP is that the FS has a legislated overall limit on NF's of acquiring more than 3000 acres of private lands for addition to the Forest. The Ochoco has acquired about 27 acres over time against that limit. Also, this property lies outside of the Congressionally designated boundary of the Ochoco National Forest. Congress would have to adjust the boundary to allow for this acquisition. While to the knowledge of the SC, BLM has not been involved in exploring future management of BSP, that agency has no such limit to the best of our knowledge, and forms much of the boundary around BSP. Mike gave an example of the Missoula Field Office of BLM has acquired approximately 40,000 acres of previously large timber corporation land holdings, working with a bridge group, the Blackfoot Challenge and numerous other organizations. The third hurdle identified is the 'split estate' (separation of the surface and mineral rights) of the property.

**Discussion of public/vs private vs hybrid ownership of prairie** – This is a big issue: we need to discuss the varying views within community.

**Develop bulleted list of next steps** – We will brainstorm what our subcommittee needs to include in continuing work. A list and brief explanation will be developed of each.

- **Split surface and subsurface estate** – Some of the deeded lands only have surface management, and the subsurface mineral rights are owned by a different party. While it is unknown what mineral values might exist, it is a question that needs to be addressed.
- **Continued Grazing as a management strategy** - Grazing has been and properly managed grazing should remain an integral part of managing BSP going forward. It also is a use broadly supported by Crook County.
- **Tribal Rights – Hunting and traditional uses** – It is possible (likely?) that if the property becomes federally owned, it will increase access and affect the rights of the Warm Springs Tribal people for those lands.
- **Forest Legacy Funds** – alternate ways/sources of funding. Funding sources are competitive in their awarding.
- **Respect private landowner rights to buy/sell property** – This property is a major part of the customs, culture and economy of Crook County; private landowners should be able to purchase or divest of land without government intervention.
- **Public Options – FS, BLM, Private/Public** – A variety of different approaches for future management were discussed, that incorporated education, research, and other opportunities.
- **Public land ownership will have barriers to management from appeals, litigation** – How could that vulnerability be reduced? Legal barriers to planning and implementation of both Forest Service and BLM have greatly extended the time and cost of management along with the ability to practice needed activities. Planning results and decision making is often limited and reduced in accomplishment by a fear of litigation, costs and time.

- **Water Rights** – some of oldest water rights on North Fork Crooked River are attached to BSP, with the earliest dating back to the 1890's, the most recent ones in the early 1990's. This is a critical element for the future of Crook County.
- **How does BSP fit into larger landscape?**
- **How does BSP influence our customs, culture and economy?** What is history and story?
- **Experimental Stations and Research should be considered in this unique Ochoco landscape.** Three such stations exist in Oregon under the leadership of OSU Agricultural Research and Experiment Stations and USDA Agricultural Research Service – Northern Great Basin Range Experiment Station, Starkey Experiment Station and Katherine Creek out of LaGrande. Is there a role these units might assist in management?
- **What are interests of the current landowner** - Explore the opportunity to visit with the landowner, Waibel, as to their interests in how BSP should be managed going forward. Are there elements that might honor the history of the land and Schwab family going forward?

Please note that the SC considerations in this letter are for the purpose of education and for the CCNRAC moving forward to determine what, if any, role the full committee might want to pursue in the continued future exploration of possible future management scenarios. But there will be a lot of work that will not be public in the broad sense, and it seems most appropriate at this time to listen, and seek opportunities for this project to be handled to best meet the needs education and community dialogue similar to what we have done in several other issues within Crook County in recent years.

Mike