

**STATEMENT OF BOB ANDERSON  
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SENATE ENERGY & NATURAL RESOURCES COMMITTEE  
SUBCOMMITTEE ON PUBLIC LANDS & FORESTS**

**S. 2482, DESCHUTES & CROOK COUNTIES, OREGON, ROAD RIGHT-OF-WAY  
JUNE 18, 2002**

Mr. Chairman and members of the Subcommittee, thank you for the opportunity to appear here today to discuss S. 2482, a bill "to direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road." The bill also provides for the relinquishment of right-of-way interests in the George Millican Road (or "Old Millican Road").

The Department supports the goal of S. 2482, to grant the right-of-way to the Oregon counties, but we would like to work with the Chairman and the Subcommittee on amendments to the bill to provide for a process that would include community involvement in addressing issues related to conflicts with recreational uses and wildlife concerns in the area.

**Background**

The population of central Oregon has been expanding rapidly, and for Crook County, Oregon, one of the integral components to this growth is the West Butte Road. The Bureau of Land Management (BLM) constructed the West Butte Road in 1968. It is a fairly straight road, approximately 14 miles in length that has become the preferred route from Four Corners to Highway 20. Crook County has maintained it for several years under a cooperative maintenance agreement with the BLM. Deschutes County sees this road as a means of relieving some of the traffic burden from Highway 97 in the ever-growing Bend and Redmond communities.

In 1968, the State of Oregon designated Highway 27, currently located further to the east near Prineville Reservoir, as a State Highway with the understanding that a new route for the road would be created. It was recognized that the current alignment of Highway 27 – the only State Highway in Oregon that still has unpaved portions – could not be improved for economic reasons and physical limitations. Later, both State and Federal agencies recognized the natural values of the Crook River Canyon, which further reduced the desirability of upgrading Highway 27 in its current location. Ultimately, West Butte Road became the most likely replacement route for Highway 27.

The George Millican Road, meanwhile, extends from Prineville to Lakeview and was recognized in 1915 by Crook County as a country road. The northern segment of the road was converted to a right-of-way in 1991 and is no longer a concern to the counties. However, the southern segment of road from Four Corners south to Highway 20, near the town of Millican continues to be an area of concern. The route is a single lane, unimproved road that occupies the original 1915 alignment. Currently, the BLM has several rights-of-way over this segment of the George Millican Road.

**Upper Deschutes Resource Management Plan**

Over the last three years, the BLM has been working with Crook and Deschutes Counties, the Oregon Department of Transportation, and Oregon Department of Fish and Wildlife identifying suitable alternatives to State Highway 27. One of the more suitable alternative routes that has been considered is the combined route known as the Millican and West Butte Road.

The BLM's 1989 Resource Management Plan for Prineville failed to anticipate issues related to the rapidly growing human population in Bend, Redmond, Prineville, and surrounding areas. This combination of

changing circumstances and new information has created a need to revise the existing Resource Management Plan. The Upper Deschutes Resource Management Plan is currently being prepared to address these issues, particularly the need to resolve a number of transportation problems including the West Butte Road. Recognizing the importance of these issues, the BLM has made the Upper Deschutes Resource Management Plan a priority and put it on a fast track, with a final Record of Decision planned for the Winter of 2004.

Through this process we have agreed to consider and analyze alternative corridors to determine the route that would be most suitable for future use as a State Highway. Following completion of the Upper Deschutes Resource Management Plan, the BLM would be able to issue a decision on the right-of-way, and assuming a favorable decision for the right-of-way, determine the final alignment of the road, and also determine any mitigation measures for road design.

It is important to note that the Upper Deschutes Resource Management Plan provides intensive public and governmental collaboration. It utilizes a community-based collaborative process that helps solve important problems facing long-term management of the public lands within the planning area. It is a process that is deliberative and open to all. Accordingly, the BLM is using "Issue Teams" to focus on specific planning issues. Chartered by the Deschutes Provincial Advisory Committee, the Teams are composed of representatives of the general public, specific interest groups, permit holders, other stakeholders and relevant government agencies, including Crook and Deschutes Counties. Team members have been meeting since the Fall of 2001 and the majority of their work will involve review of public comments on the Draft Environmental Impact Statement for the Resource Management Plan near the end of 2002 or the beginning of 2003.

Finally, the transportation analysis component of the Upper Deschutes Resource Management Plan could begin as early as January of 2003, and be completed after the Record of Decision on the Resource Management Plan is signed in the Winter of 2004.

#### **S. 2482**

The Department of the Interior supports the goal of S. 2482 however, the Department believes the legislation would cut short the process currently underway to provide for greater community involvement in addressing issues related to final location and design of the West Butte Road. The Upper Deschutes Resource Management Planning process provides an appropriate vehicle for addressing and resolving this issue. The bill as currently drafted does not address the important issues under consideration in the Upper Deschutes Resource Management Planning process.

With regard to Off-Highway Vehicle recreation use, the current West Butte Road splits the Millican Off-Highway Vehicle recreational use area down the middle and further development of the West Butte Road could create safety conflicts and limit these recreation uses in the area. The Millican Off-Highway Vehicle trail system is one of the most popular in the state, and represents a significant financial investment by the State Off-Highway Vehicle Committee, attracting riders state-wide. Off-Highway Vehicle use in the BLM's Resource Management Plan is an important issue, and the BLM is currently determining, on a broad-scale, how and where these Off-Highway Vehicle recreational uses will continue in the future. There is no provision in the legislation that provides for mitigation measures to provide for the safety of Off-Highway Vehicle users and ensure that the recreation impacts of future development of the West Butte Road are minimized.

Another outstanding concern is the issue of wildlife in the West Butte Road corridor. Currently, the West Butte Road falls on the fringe of fragile Sage Grouse habitat and within mule deer winter range. The Sage Grouse populations have declined in this area due to a number of factors, including human disturbances. There are nesting populations that currently migrate between the West Butte and the Millican breeding areas. S. 2482, as currently written, does not provide for a way to address the potential impacts of the development of the West Butte Road on the Sage Grouse and mule deer populations.

Finally, the establishment of a State Highway in the West Butte Road corridor may also increase the potential for development of private lands that would be more easily accessed by an improved road, and these potential future development issues also should be considered.

### **Conclusion**

Mr Chairman, the Department of the Interior looks forward to working with the Subcommittee to help address these issues in a meaningful way that will meet Central Oregon's transportation needs. Thank you for the opportunity to testify before you today. I would be pleased to answer any questions that you or the other members of the Subcommittee may have.