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**From:** Bill <wsymms@peak.org>  
**Sent:** Thursday, March 12, 2015 9:32 PM  
**To:** comment@boardmantohemingway.com  
**Subject:** B2H Comments  
**Attachments:** B to H Response.doc

Hello,

I am the Preservation Officer for Northwest OCTA and I have attached a document that I sent to the wrong person. Hopefully this gets to the correct one now.

William Symms  
Preservation Officer Northwest Oregon/California Trails

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December 9, 2013

*OCTA Response to Boardman to Hemingway Transmission Line Historical Setting Inventory:*

*On November 13<sup>th</sup> and 14<sup>th</sup> I had the opportunity to visit these areas with Jeremy Call from Logan Simpson Design and assist in the evaluation of the area for the construction of the B to H power line right of way on BLM land: Love Reservoir, Birch Creek, Straw Ranch I (T10S, R42E, Sec. 28, 33), Straw Ranch II (T10S, R42E, Sec. 7, 8) and Chimney Creek (T13S, R44E, Sec. 3), areas where the Oregon National Historic Trail leaves the Burnt River Canyon heading for Virtue Flats and Flagstaff Hill National Interpretive Center.*

*I have been involved in four different BLM projects, over the last 9 years, in marking and mapping the Oregon National Historic Trail as it traverses the segment from west of Ft. Boise to the Flagstaff Hill Interpretive Center at Baker City. I am very familiar with the region. Northwest Chapter of the Oregon/California Trails Association has been very active in partnering with the BLM to help maintain this section of the trail.*

*As you read the BLM 6280 Document and look at how it applies to this project, the route the BLM suggests is does not appear to be appropriate in this situation. The massive towers in this section will be 180 to 200 feet tall which will be very difficult to hide through some mitigation measure. The IPC preferred route west of Willow Creek appears to be the best alternative in this section.*

#### Key Terms Used in This Manual

2. National Historic Trail. An extended, long-distance trail designated by Congress that is not necessarily managed as continuous but follows as closely as possible and practicable the original trails or routes of travel of national historic significance. The purpose of a National Historic Trail is the identification and protection of the historic route and the historic remnants and artifacts for public use and enjoyment. A National Historic Trail is managed to recognize the nationally significant resources, qualities, values, and associated settings of the areas through which such trails may pass, including the primary use or uses of the trail. Federal Protection Components associated with the National Historic Trail, including high potential historic sites, high potential route segments, and auto tour routes are identified by the National Trail administering agency through the trail wide Comprehensive Plan. Properties eligible for the National Register of Historic Places, which may also be Federal Protection Components, may be identified along the National Historic Trail, including segments of the National Historic Trail.

*The Oregon National Historic Trail has already been recognized by congress.*

#### 3. National Trail Segment.

Individual sections of a National Trail which, in combination, comprise the entire National Trail. Each segment of a National Trail may contain unique features or landforms, and variable resources, qualities, values, or associated settings.

*Between 1836 and 1864, approximately 300,000 plus emigrants came west on the Oregon/California Trail. Of that number, approximately 150,000 came on to Oregon after others took off for California in Idaho. They have left a permanent mark on the earth for us to observe and to enjoy while we study their stories and our history. Each year more and more of the trail is disappearing to development of wind energy and other areas of concern so it is critical that we preserve the sections of the trail that we have in this state in their original condition. It is unique to Oregon and the Oregon National Historic Trail is a source of many tour dollars that boost our state economy.*

*There are two sections of the trail that I address in this response and each one of them is unique and different and worthy of protection. The first section is from directly west of Fort Boise on the Snake River to Farewell Bend on the Snake River. The section from the Fort Boise area to Vale is not an area of concern as the IPC route would avoid any issues around Keeney Pass Interpretive Area established by the BLM. The area we are deeply concerned about is from Vale to Farewell Bend by way of Alkali and Tub Springs to Birch Creek Interpretive area. These areas are absolutely critical to preservation*

concerns as they already have been identified, mapped and marked with interpretive panels installed at these locations by the BLM and OCTA and we are in the process of installing another interpretive panel at a section of Class 1 Swales on the west side of Tub Mountain. After traveling this area with a representative from Logan-Simpson Design, I determined that the electric transmission towers would be observable from almost every location on the 22 mile segment with some in the distance and some in the forefront. This section is already a designated Auto Tour Route with brochures available at BLM offices and at the Flagstaff Hill Oregon National Historic Trail Interpretive Center at Baker City. It is one of the easiest sections of the Oregon National Historic Trail accessible for individuals with disabilities. They do not have to get out of a vehicle to have the vicarious trail experience with empathy for the setting that these emigrants experienced.

The second section is Straw Ranch I (T10S, R42E, Sec. 28, 33), Straw Ranch II (T10S, R42E, Sec. 7, 8) and Chimney Creek (T13S, R44E, Sec. 3), areas where the Oregon National Historic Trail leaves the Burnt River Canyon heading for Virtue Flats and Flagstaff Hill Interpretive Center.

#### 18. Auto Tour Route.

Those roads that parallel the National Historic Trail and provide opportunities to commemorate the historic route as an alternate experience. These opportunities may occur inside or outside the National Trail Management Corridor. Auto tour route opportunities may include access to National Historic Trail high potential historic sites and high potential route segments located on BLM public and, other participating agency land, or lands of willing landowners. Auto tour routes are normally restricted to existing all-weather roads or paved highways and may be limited to specific use conditions.

*The 22 miles section from Vale to Farewell Bend is already designated as part of the Oregon National Trail Auto Tour Route.*

### 1.6 Policy

#### A. Statement of Programmatic Policy

#### 3. Management Standard for Congressionally Designated National Scenic and Historic Trails (National Trails).

##### ii. Substantial Interference and Avoidance of Incompatible Activities

Through the land use planning and NEPA processes for proposed actions on National Trails, the BLM may permit uses that will not substantially interfere with the nature and purposes of the National Trails. To the extent practicable, the BLM shall make efforts to avoid activities that are incompatible with the purposes for which such trails were established. NTSA Sec. 7(c). As such, subject to valid existing rights, the BLM may, through the appropriate NEPA analysis, approve, reject, deny, prohibit, minimize, and/or mitigate proposed actions.

*The power transmission line would substantially interfere with the nature and purpose of the National Trails.*

### V. Management

#### a. The BLM will consider the following National Trail characteristics in National Trail management:

##### (2) National Historic Trails

(i) The original trails or routes of travel of national historic significance to maximize vicarious experiences and provide resource protection.

(ii) Historic route and its historic remnants and artifacts for public use and enjoyment.

*In order to have a vicarious experience and provide resource protection on this section, the IPC route to the west of Willow Creek should be taken. This section of the trail in August reflects the experience and empathy for what the emigrants felt when they were walking across this section of Oregon.*

#### 2.4 Protocol for Proposed Actions which May Affect Trails Under National Trail Feasibility Study and Trails Recommended as Suitable for National Trail Designation

C. The NEPA analysis for the proposed action will consider existing data, including data from the completed National Trail Feasibility Study, data provided to the BLM by the agency conducting the National Trail Feasibility Study, or additional data collected as necessary for alternative formulation and analysis. In evaluating whether to approve the proposed action, the NEPA analysis, will:

2. Analyze and describe any impacts of the proposed action on the values, characteristics, and settings of trails under study or trails recommended as suitable.
3. Consider an alternative that would avoid adverse impacts to the values, characteristics, and settings of the trail under study or recommended as suitable and/or incorporate and consider applying design features (see examples in Appendix 1) to avoid adverse impacts.

*This alternative is already on the maps as IPC proposed route which runs west of Birch Creek and would eliminate this whole issue of Alkali, Tub Springs, Tub Mountain and Birch Creek Interpretive area. The power line would conflict with the Integrity of the Historical Setting.*

### 3.5 Conducting the National Trail Inventory

E. To the greatest extent practicable, the inventory shall be conducted for each of the following landscape elements. National Trail resources, qualities, and values, and the primary use or uses for each landscape element must be inventoried and assessed prior to determining the extent of the associated settings. The inventory of the associated settings is based on the documentation of resources, qualities, and values, and the primary use or uses.

1. Scenic Resources, Qualities, and Values, and the Primary Use or Uses. The scenic resources, qualities, and values, and the primary use or uses inventory includes:

- i. A viewshed analysis (computer based-modeling), including a scenic quality analysis, a sensitivity-level analysis, and a delineation of distance zones for scenic values, and documentation of the elements of the landscape that are seen, seldom seen, and not seen from the National Trail, including the foreground, middle ground, and background of the viewshed of the National Trail.

*The setting and viewshed in this section of the trail would be destroyed by the appearance of power transmission lines and accompanying road and construction activities visible the entire length of this section of the trail. The power line would conflict with the Integrity of the Historical Setting.*

2. Scenic Setting. The scenic settings are the geographic extent of the visual landscape elements that influence the trail experience and contribute to resource protection. The scenic inventory includes:

- ii. For National Scenic Trails only, identify significant scenic or high visual qualities of the area through which such trails may pass.
- iii. For National Historic Trails only, identify areas with high scenic quality that support the nature and purposes and/or relative freedom from intrusion within and adjacent to high potential historic sites and high potential route segments.

*Currently there is very little intrusion on this 22 mile segment other than the road which is actually the trail in many places and the fences. They have a very small impact on the area as compared to an electric transmission line and the entire infrastructure that goes with it for entire length of this section.*

7. Natural (including Biological, Geological, and Scientific) Resources, Qualities, and Values, and the Primary Use or Uses. The natural resources, qualities, and values, and the primary use or uses inventory includes:

- iii. For National Historic Trails only, landscape-defining National Trail-related characteristics immediately surrounding and within the viewshed of high potential historic sites and high potential route segments or satellite areas, such as landmarks or landscape features identified by the original trail users.

*Beginning in 1813 with Madame Marie Dorian, 1836 with Narcissa Whitman, 1843 with John C. Fremont, 1845 with Joel Palmer, 1849 with Osborne Cross, 1851 with Susan Amelia Cranston, Amelia Hadley, 1852 with Abigail Jane Scott, Martha S. Read, James Akin, Jr., Cecelia Adams & Parthenia Blank, 1853 with Amelia Stewart Knight, Celinda Hines, 1854 with Sarah Sutton, 1883 with Mary*

*Matilda Surfus; they all commented in their journals or diaries on either The Sulfur Springs between the Malheur River and Birch Creek (Alkali Springs or Tub Springs) and finally Birch Creek campsite itself before leaving the Snake River at Farewell Bend. They discussed the difficulties of the crossing of that 22 mile stretch and how hard it was on humans and animals. This section needs to be preserved as it is for future generations to have the vicarious trail experience.*

#### Chapter 4. Congressionally Designated National Trails - Land Use Planning

C. Development of Designated National Trail Goals and Objectives. Goals and objectives for the National Trail shall be identified based on the NTSA, enabling legislation, legislative history (in consultation with the Office of the Solicitor), the nature and purposes of the trail, supporting information from the National Trail Feasibility Study, trailwide Comprehensive Plan, and National Trail inventory. The nature and purposes; resources, qualities, values, and associated settings; and the primary use or uses will be clearly described. At a minimum, the following goals and objectives should be considered for National Trails:

##### 1. For all National Trails

- i. Safeguard the nature and purposes; and conserve, protect, and restore the National Trail resources, qualities, values, and associated settings and the primary use or uses.
- ii. Provide premier trail visitor experiences for public benefit.

*As this is already an established Auto Tour Route, the public has ready access to the 22 mile segment from Vale to Farewell Bend and the Birch Creek Interpretive site. The construction of a power line using the BLM preferred route through this section would not be a premier trail visitor experience and there would be no public benefit. The IPC preferred route which is west of Willow Creek would be visible in the distance from the Birch Creek Interpretive Site but it would not be intrusive due to the distance from the site. The BLM preferred route at the Birch Creek Interpretive Site would be almost on top of the Interpretive Site and very highly visible and would adversely impact the viewshed and setting as well as destroy the vicarious trail experience.*

iv. Reduce the potential for uses that substantially interfere with the nature and purposes of the National Trail (see Chapter 1, 1.6 Statement of Programmatic Policy).

v. Avoidance of activities that are incompatible with the purposes for which the National Trail was established (see Chapter 1, 1.6 Statement of Programmatic Policy).

*The construction of a power line and the entire associated infrastructure, roads, construction sites, towers and anything else involved with construction and maintenance of the said power line would be highly incompatible with the purpose of the establishment of the Oregon National Historic Trail.*

#### E. Trail Management Guidance by Resource Program.

2. Cultural and Historic Resources. The land use plan and associated NEPA analysis should consider the following management decisions for cultural and historic resources for National Trails:

- i. The identification, preservation, and protection of significant cultural resources and significant historic properties that support the nature and purposes of the National Trail.

*The Oregon National Trail in this section has been identified, marked and mapped numerous times so its location is well known. There are significant historic properties all along the trail that need to be protected from intrusion by power lines and towers and infrastructure necessary to construct and maintain the power line.*

#### 5.3 Protocol for Proposed Actions which May Adversely Impact Designated National Trails

1. Where a proposed action is found to be inconsistent with the purpose for which the National Trail was designated, the BLM shall consider rejecting applications for proposed projects or denying approval of the action pursuant to FLPMA, the NTSA, and other applicable law and policy.

2. The BLM may not permit proposed uses along National Trails which will substantially interfere with the nature and purposes of the trail, and the BLM shall make efforts, to the extent practicable, to avoid authorizing activities that are incompatible with the purposes for which such trails were established.

*The construction of the Boardman to Hemingway Power line, roads, cement pads and any other construction issues would substantially interfere with the nature and purpose of the trail and should not be authorized. The IPC preferred route west of Birch Creek would be much more suitable.*

#### B. Determining the Scope of Analysis

2. If a National Trail Management Corridor has not been established in a land use plan, the BLM should undertake the following:

- i. A viewshed analysis to evaluate whether the proposed action is contained within the viewshed.
- ii. If within the viewshed, and likely to cause adverse impact, a BLM National Trail inventory and assessment is required, and should be broad enough to be able to identify reasonable alternative project locations with potentially less or no adverse impact. Upon inventory, the area of potential adverse impact shall be delineated, encompassing the resources, qualities, values and associated settings and the primary use or uses identified.

*This is already addressed with the IPC preferred route to the west of Willow Creek. That location would have no impact on the trail, the vicarious experience of the trail, or the setting of the trail.*

- iii. The BLM will identify, within the area of potential adverse impact, any adverse impacts to the nature and purposes; resources, qualities, values, and associated settings; and the primary use or uses for the affected environment, alternative formulation and analysis, and environmental consequences (see chapter 3 of this manual).

*These adverse impacts are already known by all parties and the IPC preferred route to the west of Willow Creek is the best route to use.*

- iv. The BLM shall consider alternatives which support National Trail purposes in accordance with this policy. The BLM will consider alternatives which direct the proposed project outside the area of potential adverse impact or to a comparably disturbed or culturally modified area, such as areas already containing transmission lines, pipelines, highways, or improved roads.

*This is already addressed by the developer with the IPC preferred route which is west of Willow Creek would be out of sight of the trail in this entire 22 mile section.*

#### Appendix 1 - Design Features and Best Management Practices for National Trails and Associated Resources

2. Projects proposed within the National Trail Management Corridor will be designed and located in a manner that is compatible with trail purposes.

*There really is no design or mitigation that would be compatible with the trail purpose in this location.*

3. Minimize visual contrast of project through use of project design such as use of low profile buildings; siting using the natural topography to hide or screen development; reducing the aerial extent of impact by clustering developments; use of vegetative screening; mimicking the line, form, and texture of the surrounding landscape; painting infrastructure, using colors that camouflage the development and prevent glare; and other techniques developed to address the site specific conditions.

*Due to the topography of this area, there are some areas where the towers, roads or transmission lines would be hidden from view and others where they would be highly visible in this 22 mile trail segment. The original IPC preferred route located to the west of Willow Creek would be the best possible route to use.*

*The Straw Ranch I (T10S, R42E, Sec. 28, 33), Straw Ranch II (T10S, R42E, Sec. 7, 8) and Chimney Creek (T13S, R44E, Sec. 3), areas where the Oregon National Historic Trail leaves the Burnt River*

*Canyon heading for Virtue Flats and Flagstaff Hill National Interpretive Center are a little different. The 180 to 200 foot tall towers would be visible in all of these areas using the IPC preferred route. This section is not so accessible to the public but it contains some MET class 1 swales and in some places has parallel swales running side by side. They are outstanding and need to be preserved as well. They are marked with BLM concrete obelisks and brown carsonite Oregon National Historic Trail Markers. There is a possibility that mitigation through camouflage or colors to break up the outline of the towers would help but a 180 to 200 foot tall power line is very hard to hide. It would be hard to hide the ugly aspects of construction and maintenance of the overhead lines. The Timber Canyon Alternative would take care of this issue or if not that one, the BLM preferred route would be second best. The IPC preferred route is not the best in this section.*

William R. Symms

Preservation Officer, Northwest Chapter Oregon/California Trails Association  
Member of Board of Directors of National Oregon/California Trails Association