

# Black Butte Trail

## Frequently Asked Questions

### **JUST THE FACTS:**

#### ***How long is the paved trail?***

7.6 miles.

#### ***How wide is the trail?***

10 feet with a 1 foot gravel shoulder on each side.

#### ***Where is it located?***

Entirely in a “roaded natural area” of the Deschutes National Forest, southwest of Highway 20, between Sisters and Black Butte Ranch. (This is Alternative 3 as described in the first Environmental Assessment (EA).)

#### ***Where will the trail start?***

Between the Black Butte Ranch Welcome Center and Community Center (and near the Police Station), tying into an existing BBR path along the edge of the parking lot via a short connector.

#### ***Where will the trail end?***

At the edge of National Forest land between the Village at Cold Springs and the Sisters West Highway Commercial zone. The trail can connect to Railway via an easement through the mandatory setback between the residential and commercial zones, and from Railway it can connect to other trails in the City.

#### ***How will the trail connect to Tollgate?***

The current proposal is for a short connecting spur (about 450’) from the main trail to an existing trail on National Forest property (the High School - Tollgate Trail) that connects to the east fire exit from Tollgate.

#### ***Will the trail cross any private property?***

The trail is located entirely on National Forest land.

#### ***What about crossing the Tollgate entrance road?***

The Tollgate entrance road is in fact a Forest Service system road that is on an easement granted by the Forest Service to Tollgate. The terms of that easement allow the Forest Service to manage National Forest land as needed for public use across the Tollgate easement. (The Forest Service will be responsible for making the trail across the easement safe for users and Tollgate would bear no liability for trail users crossing this easement.)

#### ***How close does the trail come to private residential property?***

There is a minimum of 371’ of public National Forest land between the main trail and any residential property in Tollgate. The spur connecting the trail to Tollgate will join an existing trail about 200’ from Tollgate’s east fire exit. The trail begins in the public area of Black Butte Ranch, and is nowhere near the houses within the gated residential areas. The trail terminates next to residentially zoned property (the Village at Cold Springs subdivision) in Sisters.

#### ***What is the surface?***

Asphalt is the current proposal.

#### ***Does it have to be paved?***

The Architectural Barriers Act (ABA – which requires Federal buildings and facilities to be accessible to people with disabilities) regulations for trails on Federal land require a firm and stable surface, which

is most easily and durably achieved with pavement.

***Does the surface have to be asphalt?***

Paved trails in Central Oregon are typically asphalt (this is the case in Black Butte Ranch, Tollgate, City of Sisters, Sun River, Bend, and Madras, for example). Other possible surfaces might include decomposed granite. Considerations include both durability and costs -- both construction and lifetime maintenance.

***Does it have to be ABA compliant?***

Federal regulations require that all outdoor facilities, including pedestrian trails, on Federal property meet ABA requirements for trail surface, width, slopes, and signage. (These regulations were published in September 2013 – after the trail was originally scoped. See: <http://www.access-board.gov/guidelines-and-standards/recreation-facilities/outdoor-developed-areas/final-guidelines-for-outdoor-developed-areas>; and <http://www.fs.fed.us/recreation/programs/accessibility/htmlpubs/htm06232801/index.htm>.)

Even without such regulations, the proponents envisage a trail that can be used by anyone. There are already hundreds of miles of dirt and gravel trails and roads in the surrounding National Forest, but none that are hard-surfaced and accessible to everyone.

**FINANCIALS**

***How much will this trail cost?***

The estimate in 2012 was about \$2 million, depending on amenities.

***Who will pay for the trail?***

The main source of funds will be competitively allocated grants from Federal and state agencies that have set aside funds

for similar alternative transportation and community trails projects, including ODOT and Oregon Recreational Trails Program. Other funding may come from private donations and corporate sponsors.

***Will taxes or levies be assessed to pay for the trail?***

No financing will come from local property or other taxes. There will be no rate increases, no special levies, no bonds, and no utility assessments of any kind.

**USERS**

***Who will be allowed to use this trail?***

This is a commuting and recreational trail. Pedestrians of all kinds, including those with regular and electric wheelchairs and mobility devices, as well as cyclists, roller bladers, skateboarders, etc. will use this trail.

***Who will not be allowed to use this trail?***

Motorized vehicles (except electric assist wheelchairs, mobility devices and bicycles and authorized maintenance vehicles) and horses will not be allowed on this trail. (Oregon Equestrian Trail representatives were consulted on this proposal, including a parallel horse trail and their conclusion was that this was not needed.)

***Will there be a speed limit on the trail?***

Some localities post a 15 mph maximum speed limit on their paved trails, if common sense doesn't provide sufficient trail etiquette. A center line may help users stay to the right and minimize problems. In general, wheeled users should give way to pedestrians.

***Will there be bicycle races on this trail?***

A paved trail is a poor venue for a bicycle race and the Forest Service is unlikely ever to issue a permit for such use. Any commercial activity on the trail (including

fund-raising), and any formally organized activity with more than 12 participants would require a permit from the Forest Service. The trail might conceivably be used for special walking events (e.g., awareness), some kids' activities, and educational programs, depending on Forest Service approval if needed.

***Where will users park?***

Users starting in Black Butte Ranch would overwhelmingly be owners and guests and, as such, would either be departing from their residence or already have parking privileges at the Ranch. Users starting in Tollgate would most likely be residents or guests riding from their homes. Like any visitor to Sisters, users starting in Sisters would be able to park in public spaces anywhere in the City (including the school parking lots, the west commercial spaces, the East Portal park, the Village Green and other places) because the trail would be connected via City trails. The only dedicated trail parking may be constructed at a trail access point near Indian Ford. However, no new trailheads are currently proposed.

**DECISION PROCESS**

***How will this trail be approved?***

Because the trail is entirely on National Forest land, it must be approved through a Federally mandated environmental assessment process. This process requires public scoping and opportunities for public comment. The EA would look specifically at the need for such a trail, at the consistency of the proposed use with National Forest policies, at the impact of the trail on flora and fauna (including how to mitigate any negative impacts), and at any social issues.

***Who make the final decision?***

The Forest Service will make the final decision, within its guidelines and based on public input.

***How will the public have input?***

The Forest Service will notify all parties who have expressed an interest or who could be impacted by the proposed trail. Everyone, whether notified or not, will have the opportunity to make written comments at different stages of the process and to attend whatever public meetings organized by the Forest Service.

***What has been done so far?***

During 2012-14, the Forest Service conducted the first Environmental Assessment, which examined the proposed trail as well as alternatives. (See: [http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/87037\\_FSPLT3\\_1666057.pdf](http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/87037_FSPLT3_1666057.pdf).)

The draft Decision Notice approved Alternative 3 (see <http://www.fs.usda.gov/detail/deschutes/news-events/?cid=STELPRD3807957>), but because of dissention within the community and an inability to find acceptable compromises, the Forest Service withdrew the draft Decision Notice, while inviting the community to resubmit a proposal with more demonstrated support.

***What are the next steps?***

Commissioner Alan Unger is leading an effort to establish that there is strong community support for this trail and has submitted a request to the Forest Service to conduct a second Environmental Assessment. This EA may be completed during fiscal 2016-17.

***When would the trail be completed?***

Timing depends on finishing the 2<sup>nd</sup> EA, on whether there is litigation, and on securing

financing. The earliest likely date for opening is probably around 2020.

***Who would build the trail?***

The trail would likely be built under a competitively bid contract between the Forest Service and a private licensed and bonded contractor. The contractor would likely be supervised by the Forest Service and required to adhere to all relevant guidelines for construction on Federal forest land (including avoiding the introduction of invasive species).

***Would eminent domain be used to secure any property needed for this trail?***

The trail is entirely on Federally owned land. It does not cross any private land. Therefore, no private land needs to be acquired for this trail, through purchase, gift, eminent domain, or any other means.

**SUPPORT FOR THIS TRAIL?**

***What are the results of polls regarding this trail?***

Three polls have been conducted:

- 1) Black Butte Ranch Association Board commissioned a Survey in September 2014 which showed respondents 61% in favor, 25% opposed and 14% undecided. All Ranch owners with registered emails (93% of total owners) received the survey.
- 2) Tollgate conducted a poll of all owners in 2013, which showed that 67% of respondents favored the trail and 28% opposed it.
- 3) The City of Sisters conducted a poll of all licensed businesses in 2015, which showed that 68% of respondents favored the trail and 16% opposed it.

In addition, proponents have collected over 1100 signatures or letters from persons and organizations who endorse this trail.

***What organizations have voiced support for this trail?***

- Black Butte Ranch Homeowners Association
- Tollgate Homeowners Association
- Sisters Chamber of Commerce
- Sisters City Council
- Sisters Parks and Recreation Department
- Economic Development for Central Oregon (EDCO)
- Deschutes County Bicycle Pedestrian Advisory Committee
- Central Oregon Visitors Association
- Commute Options
- Oregon Adaptive Sports
- Oregon Wild
- The Environmental Center
- National Forest Foundation
- Juniper Group of the Oregon Chapter of the Sierra Club

**WHAT ARE THE BENEFITS OF THIS TRAIL?**

***How will the trail help the Sisters economy?***

In Oregon, travelers who bicycle spend some \$400 million a year, a fifth of that in Central Oregon. Visiting bicyclists are estimated to spend as much as \$100 a day on dining, lodging and shopping, of which about a third goes directly to wages and other local inputs. Studies of paved trails elsewhere document their positive economic impact. (See [blackbuttetrail.com](http://blackbuttetrail.com).)

***How will the trail improve health?***

Research suggests that access to safe, pleasant places for exercise encourages people to exercise more, and more exercise helps reduce obesity and other health problems. By helping reduce carbon emissions (each roundtrip by car between Sisters and Black Butte Ranch emits about 13 pounds of CO<sub>2</sub>), the trail helps improve air quality.

***How will the trail improve interconnectivity among our communities?***

The only convenient transportation link among the three most populated areas in Sisters Country is a state highway and county roads. The Chamber of Commerce estimates that 10,000 people regularly reside in its trade area, and Black Butte Ranch estimates that its population grows from a few hundred to as many as 5,000 during the summer. A paved trail would help link these people in a safe, enjoyable alternative commuting and recreational route.

***How will the trail improve environmental stewardship?***

Getting people into the forest is the first step in forest awareness and appreciation; this trail enables anyone to visit the forest, without a car. The trail can also potentially become a kind of linear classroom teaching environmental lessons, via interpretative signage and specially tailored programs using the trail as a venue.

***Will the trail help property values?***

Evidence from paved trails elsewhere in the US consistently shows that construction of a paved trail raises the value of nearby homes, and the increase is greatest for homes that are closest to the trail. In contrast, there is no evidence that paved trails decrease property values. (See [blackbuttetrail.com](http://blackbuttetrail.com).)

***Can a paved trail help control wildland fires?***

Many studies show that wide, shaded fuel breaks where tree crowns are separated, including a hard surface path like the one proposed, help prevent fires from spreading. Such fuel breaks are especially important near residential communities surrounded by forest, like Tollgate.

**ISSUES?**

***Why not create a dirt trail?***

A dirt trail would fail to meet accessibility goals. Users who want dirt trails already have an abundance of such trails in and around Sisters, including the Peterson Ridge Trail, the Sisters Tie Trail, and the Whychus Creek Trail.

***Why use asphalt in the forest?***

There is absolutely no evidence that asphalt is a biological hazard, whether used in housing subdivisions, driveways, sidewalks, city streets, state roads, or forest trails.

***Why not put the trail on the north side of Highway 20, from Sisters to Indian Ford Campground?***

The Forest Service examined this alternative in the first EA (p. 27). It would fail to provide safe interconnectivity because it would require two or more crossings of Highway 20, which is a busy, high speed state freight highway. It would fail to connect to Black Butte Ranch, except via Highway 20. The existing Tie Trail, which has been suggested as a location for the proposed trail north of the highway, is, in fact, a mountain bike and an equestrian trail and could not be paved without building new trails for existing users. It would no longer take users into old growth Ponderosa forests or through aspen wetland areas, diminishing the recreational value of the trail.

***Who will maintain the trail?***

As laid out in the first EA, this is a Forest Service trail and ultimate responsibility for maintenance is with the Forest Service. However, it can engage partners to help maintain trails and other facilities. The Sisters Trails Alliance will be expected to sign a Volunteer Service Agreement taking responsibility for day-to-day maintenance (cleaning, brushing, minor repairs), which it

would finance out of its own budget. Some periodic maintenance (like crack sealing) may also be shouldered by the STA while more substantial repairs would be managed by the Forest Service.

***What happens when the trail needs to be rebuilt?***

With proper maintenance, the trail may last for 20-30 years before needing reconstruction. At that time, financing will be sought from grants and other sources.

***Why are trees being removed?***

The trail alignment was designed to minimize tree removal. In some cases, including archeological concerns, relocation of the trail resulted in the need to take out trees. The first EA identified about 250 green trees that would need to be removed, all less than 21” in diameter and the majority less than 12” in diameter. Removing these trees is consistent with and contributes to the effort to create a healthy, fire resilient forest. Some foresters believe that past thinning efforts in some parts of this area have been insufficient, compared to current thinning protocols. Removing carefully selected trees provides benefits.

***Would any old growth trees be removed?***

1.6 miles of the trail passes through old growth Ponderosa on an existing Forest Service road that will be decommissioned. Because the trail will follow an existing road, the EA did not identify any old-growth trees for removal. But OHSA regulations could possibly require some to be removed for safety reasons.

***Would the trail damage sensitive wetland areas?***

The trail passes through some aspen wetlands near Black Butte Ranch, reputed as excellent birding sites. This section of the trail would be constructed on a raised

wooden platform to avoid damage by trail users.

***What about the impact on big game, like elk?***

Human activity can disturb big game movements, and this trail is in an area that already has significant human activity. Maximizing the use of existing trails and roads, which this proposed trail does, can mitigate these disturbances. The first EA concluded that any resulting impact was acceptable (p. 33, among others).

***What about the adverse of effects on winter rangeland when the trail is used in winter?***

The trail passes through winter range for mule deer, as does Highway 20 and Tollgate itself. The Forest Service closes some winter rangelands to motorized vehicle use and to organized events (in the area of Peterson Ridge, for example) but there is no winter range restriction on hiking, horseback riding, and cycling anywhere in the Sisters Ranger District near Sisters.

***What about increased litter from trail users?***

The first EA analyzed this issue (page 141) and concluded that it is unlikely to be worse than existing levels, especially as this is already a forest area heavily impacted by human activity, including unauthorized motorized trails. In any case, because the STA will have responsibility for monitoring the trail and clean litter as needed, the trail is likely to be cleaner than some of the surrounding forest.

***Don't trails affect public safety?***

The first EA also analyzed the issue of public safety raised by many neighboring residents (pp. 139-140) and concluded that there is no evidence from other areas with

paved trails that they cause deterioration in public safety. In any case, the trail will be under the jurisdiction of the Deschutes County Sheriff's office and Forest Service Law Enforcement officials.

***What about trail construction spreading noxious weeds?***

Federal guidelines govern the conduct of construction companies to ensure that they do not inadvertently introduce or spread noxious or invasive species when working on National Forest lands. The trail can be easily monitored to eliminate noxious plants should they somehow appear.

**WHAT ABOUT OTHER TRAILS?**

***Will the existing High School – Tollgate trail be paved?***

The STA has proposed paving this existing gravel trail used mainly by Tollgate residents, including kids going to Sisters Schools. It has approval from the three land owners whose property the existing gravel trail crosses but it has not yet secured funding. Such action would be independent of any decision to build the Black Butte Trail.

***What is the status of the proposed paved High School – Crossroads Trail?***

Some residents in Crossroads strongly objected to the alignment originally approved by the Forest Service, which subsequently rescinded its approval. Any future action now depends on support from Crossroads residents, should they ever agree on a proposal. Such action would be independent of any decision to build the Black Butte Trail.