



Joseph Patrick Quinn
Volunteer Conservation Chair,
Umpqua Watersheds, Inc.
P.O. Box 101
Roseburg, OR, 97470
541 672 7065
uw@umpquawatersheds.org

Michael J. Korn, Field Manager
Swiftwater Field Office
BLM Roseburg District
777 NW Garden Valley Blvd
Roseburg OR, 97471
10/14/18

Dear Mike Korn:

Please accept these comments from Umpqua Watersheds, Inc., on the Third Rock Harvest Plan EA (DOI-BLM-ORWA-R040-2014-0014-EA). Umpqua Watersheds, Inc. (UW) is a 501 C 3 non-profit conservation, restoration, education organization, with offices in Roseburg, Oregon.

In General

In numerous "Purpose and Need" statements, made by BLM in the documents of its various extractive proposals, we are accustomed to reading declarations such as the following: *"The BLM has a statutory obligation under the O&C Act (The Oregon and California Railroad and Coos Bay Wagon Road Grant Lands Act of 1937) to manage O&C lands for permanent forest production in accordance with the sustained yield principle (ROD/RMP p. 5). The 2016 ROD/RMP directs that forest stands in the Harvest Land Base be managed to provide permanent forest production in conformity with the principles of sustained yield, consistent with the O&C Act (2016 ROD/RMP p. 5)."*

In the Third Rock EA, we read this: *"The proposed actions are located on revested Oregon & California Railroad (O&C) lands. Management of these lands is governed by multiple statutes including the O&C Lands Act of 1937. The Act requires the Secretary of the Interior to manage O&C lands for permanent forest production in accordance with principles of sustained-yield (NCO ROD/RMP, p. 5). The BLM adopted the 2016 NCO RMP/ROD partly for the purpose of providing a*

*sustained yield of timber (NCO ROD/RMP, p. 1).*¹ UW takes exception to the fact that while the vaunted, and as we believe, historically over, even misapplied, sustained yield extractive model continues to receive great attention in BLM's various extractive proposals, there is no mention of the ancillary provisions that ought to accompany this statement of extractive necessity.

Namely, as numerous times before, we again remind BLM of the related mandates of the O&C Act to protect watersheds, regulate streamflows and provide for recreation. The recreation mandate may enjoy less relevance within the harvest land base. However, as both the BLM and UW know: there should be no exception to the protection of watersheds and regulation of streamflows within that harvest land base. Effective protection of watersheds and regulation of streamflows ought never to be disregarded or discounted within the HLB, nor on any public forestlands, whatever their particular land use designation. For the BLM to claim, as it does here, that: *“Not all site-specific projects, such as this proposed action, implement actions to contribute to all aspects of the O&C Lands Act, so full compliance of the O&C Act must be assessed at a larger scale. The BLM measures its performance under the O&C Act not project-by-project, but in whether BLM’s practice of sustained yield forestry is achieving the myriad purposes of the Act across the O&C lands as a whole. It is only through the dominant use of timber production and the Act’s directive that BLM “sell, cut, and remove” timber on a sustained yield basis, that BLM even has authority to strive toward achieving the Act’s purposes. While the Act’s broad purposes present objectives BLM strives to achieve through its management of the O&C lands as a whole, these purposes or objectives are not discrete, mandatory conditions or duties, and the performance of which are not measured at the site-specific, individual timber sale scale.”*² amounts, in UW's estimation, to little more than an unsubstantiated opinion. Furthermore, it reflects a stubbornly myopic opinion regarding landscapes in general and individual watersheds, in particular. After all, what BLM is effectively saying in the above statement, whether it intends to or not, is precisely that some watersheds should be protected and their streamflows regulated, while others, being expendable, should not. UW takes strong exception to this perspective.

The historic, pre-Northwest Forest Plan management record on the public land holdings under management authority of the Roseburg District, as elsewhere in Western Oregon, demonstrates all too well that environmentally responsible and necessary forest management was too often disregarded and discounted in favor of the mass liquidation of primary old growth and mature forest, representing the accumulated sylvan wealth of centuries. Sadly, this assertion is well supported, ipso facto, by the necessity of applying the strictures of the ESA, Clean Air and Water Acts, etc. to the degraded watersheds and their attendant streams and rivers of the Roseburg BLM District, as elsewhere. Unwanted and unnatural peak flows, chronically depleted summer flows; many, too many waterways DEQ 303 d listed for various critical parameters, diminished or extirpated anadromous fish runs, diminished or extirpated terrestrial species etc. collectively speak volumes about the shortcomings of past management practices across all ownerships, some continuing down to the present day.

UW's examination of the legislative history of the 1937 O&C Act indicates to us that these ancillary strictures were not included in that somewhat dated legislation in opposition to the vaunted sustained yield mandate but rather, so as to govern and moderate it in the wider public interest; which interest, long term, rests upon the conservation of healthy, high-functioning and/or restored watersheds. As well as sustained yield, protection of watersheds and regulation of streamflows were written into the law from its inception. They have not been removed from the explicit language of the Act. UW is unaware

¹ Third Rock EA, Pp. 1, 2

² Horse Prairie Fire Recovery Project EA, Pp. 1, 2

of any act of Congress that has withdrawn them.

With the hydrological and other ecological interests of these watersheds and the wildlife and wider human communities they sustain in mind, we recommended in our Scoping Comments that they be fully cited and given requisite consideration and application in the purpose and need declarations of Third Rock EA, and of all future BLM extractive proposals. They were not.

Insofar as a purpose and need statement is a representative outline, within a NEPA document, indicative of the necessity (or absence of such necessity) of a given management action, it is signal that the ancillary environmental mandates of the 1937 O&C Act are again missing from still another BLM statement of purpose and need. Surely, at this late date, neither can imperiled wildlife persist, let alone recover, nor can human communities long prosper, if these mandates are given short shrift by the very agency assigned, by law and the public trust, to protect these watersheds and regulate their streamflows. Here is what Walter H. Horning, a principal author, explicator to Congress, the President and the general public, and initial administrator of the 1937 O&C Act had to say about protecting watersheds: ***“An intent of the act was to bring both the O & C lands and the intermingled private lands under sustained yield using cooperative management agreements. The act was also intended to bring about conservation of non-timber resources (i.e. protect watersheds and regulate stream flows) across both public and private lands within each sustain-yield unit.”***³ (emphasis, UW)

And, Walter H. Horning quoted again: ***“It is sound national economy to regulate the use of the forest in such a manner as to maintain a continuous forest cover. This is essential for the regulation of stream flow and for the protection of watersheds and furthermore it contributes to the general satisfaction and happiness of the inhabitants of a region by keeping the landscape in a green and attractive condition.”***⁴ (emphasis, UW) Here we see hard, primary historical evidence that the progenitors of the 1937 O&C Act not only fully embraced protection of natural function on the watersheds of Western Oregon, but even considered the aesthetic value of intact forested watersheds to the “...inhabitants of a region...”

MANAGEMENT CONTEXT

With the above quotes in mind, UW recalls BLM's attention, in general, to the infamous and most unfortunate “checkerboard” arrangement of alternating ownerships, so evident on the watersheds encompassing the lands under management authority of the Swift Water Field Office. We note, in particular, that private industrial timberlands are adjacent or proximate to the public forestlands proposed for significant extractive activities, in the Third Rock EA. Among these intervening, private industrial lands, many have been recently clear cut. Others are currently in young, largely monoculture, even-age, fiber farm plantations.

Adjacent and/or proximate to proposed BLM regen. units on **25, 2, 5**, private industrial holdings on sections **31** and **32** of **T24S R2W**, as well as on **T25S, R2W, Section 6** have been heavily clear cut, some already replanted to heavily stocked fiber farm monocultures. Harrington Creek, tributary to Rock Creek, forks on **section 5** and finds its headwaters on two of these heavily clear cut/fiber farm sections north west of **section 5**.

³ Price, Frank N., 2005, Pg. 7, Protecting Watersheds, Regulating Stream Flow, and Providing Recreational Facilities: The Intent of this Language in the O & C Act, Early Interpretation and Historic Context.

⁴ ibid, Pp. 4, 5

Where **section 16**, immediately south of BLM regen units on **section 9**, and immediately north of BLM regen units on **section 21**, has not been very heavily clear cut it is in a very early seral fiber farm plantation condition. The above-mentioned Harrington Creek must traverse this heavily impacted private “sustained yield paradise,” joining Rock Creek here as well.

25, 2, 19, which Third Rock Harvest Plan EA map labeled Figure A-1 shows as proposed for nearly total regen. of some 304 acres. According to the ODF FERNS website, **25, 2, 18**, directly north of the proposed BLM regens., is slated for a very large industrial clear cut, as is **25, 3, 24**. The private industrial clear cuts planned on these two sections are likely to be contiguous, or nearly so, with the regens. on the public lands of **25, 2, 19**. The injurious environmental impacts of these large private clear cuts and monoculture plantations on the public lands of Third Rock, including, though not limited to:

- drift and/or runoff from subsequent aerial herbicide applications and from possible aerial applications of nitrogen and phosphate fertilizers,
- continued gross simplification of biodiversity,
- obvious and extensive disruption of connectivity,
- increased road construction and traffic,
- sedimentation from roads and increased peak flows,
- eventual continued and exacerbated depletion of summer low flows,
- imposition of large, tightly packed, monoculture fiber farm plantations which have the very real potential, in the event of wildfire ignition, of acting very like “fire bombs” on these watersheds

must be openly acknowledged and their cumulative impacts on watershed conservation and/or rehabilitation fully discovered and disclosed before any definitive claims can be credibly made concerning the impacts, for better or for worse, of extractive activities on the adjoining and proximate public forestlands of this analysis area under management authority of the BLM.

Offhand, ambiguous disclaimers such as: “*The BLM’s ecologically based forest management practices are unlike private industrial forest practices and the BLM’s practices minimize streamflow changes.*”⁵ in no way satisfies the “hard look” requirement made both by NEPA and the parameters of responsible management of the public's forested watersheds.

Again we are forced to ask: where in the Third Rock EA are the cumulative and damaging environmental impacts of these contiguous or very nearly contiguous large canopy openings fully discovered and disclosed to NEPA participants? The presence on these watersheds now, or in the near future, of large private industrial clear cuts and monoculture fiber farm plantations, whose environmental constraints under the Oregon Forest Practices Act (OFPA) compare poorly, if at all, with those in effect on the public forestlands under authority of the BLM, must be a critical component of any worthwhile Environmental Analysis. This remains starkly so, even when comparing the retrograde strictures of the OFPA with the significantly reduced riparian protections of WOPRjr.! That this essential aspect of watershed degradation is absent from the Third Rock EA, as from countless other BLM extractive proposals within the most unfortunate and infamous “checkerboard” of alternating ownerships, is an invitation to responsible NEPA participants, volunteer citizen-participants, to offer formal protest of subsequent timber sales emanating from this EA.

For example, as in so many other NEPA EAs etc. published by RBBLM, great attention is devoted to stand conditions on the involved public lands, by means of various tables relating to number of acres in

⁵ Third Rock Harvest Plan EA, App. C, Pg. 95

a given age class, NSO habitat, road miles, carbon-sequestration/release, peak and low flows etc. However, nothing comparable is either discovered or disclosed concerning comparable parameters as they exist currently, or are likely to exist in the future on the adjoining and proximate private holdings in the Third Rock Analysis Area. Thus, we offered the following observations in UW's Scoping Comments for this proposal:

“In its scoping letter for development of the Third Rock EA, the BLM states its intention of including an alternative therein, which would stipulate the regeneration extraction of 737 acres of public forestlands within the analysis area designated as HLB. With this proposed regeneration alternative in mind, UW asks the BLM to honestly acknowledge, and to carefully consider, the decades long history of conversion of primary forest to plantation on the public forestlands under management authority of the BLM, from 1937 (and before) until adoption of the Northwest Forest Plan, in the early 1990s. We further urge the BLM to recall the similar extractive pattern on the intervening privately owned industrial timberlands, also carried on for decades. Obviously, on these intervening privately owned industrial timberlands, environmentally retrograde extractive practices continue down to the present, under a management paradigm (OFPA), whose environmental protections, such as they are, compare poorly, if at all with those required (or, in the case of WOPRjr., “recommended”) by the NWFP, including its ACS. Sadly, such comparison holds true, and is nearly as stark, even under the reduced protections of the 2016 Northwestern and Coastal Oregon Resource Management Plan (NCO ROD/RMP, aka WOPRjr.). Nor do the nominal improvements to riparian tree retention on some private land stream reaches, recently included in the OFPA, do much to lessen this gross environmental imbalance. As BLM is well aware, many non-fish bearing, perennial streams (Type “N”) on these private clear cut lands still lack effective, or in many cases, any, riparian buffers at all!

Thus, when performing the requisite NEPA, and other required examinations of this analysis area, UW suggests that by taking a true “hard look” at the historic and current contextual conditions on these watersheds, across all ownerships and management paradigms, the agency will be acting in the best interests of the wider local, regional and national publics. That is, we feel it is incumbent upon the BLM to discover and disclose this management history along with an accurate, contemporary discovery and disclosure of actual stand conditions, not only on the public forestlands located in the Third Rock Proposal, but on the private industrial and other lands, so sited. Such a hard look, directed solely at the public lands within Third Rock, would be of greatly reduced value to the interested participants in the NEPA process, in discerning the actual environmental impacts of proposed extractive actions, thereon. As we have strongly suggested in various comments on, and protests of, extractive proposals at other Roseburg and Coos Bay BLM locations: to claim to have taken the requisite “hard look” at stand and other conditions on these watersheds, or to have effectively protected watersheds and regulated streamflows, by considering just every other section, the public sections, on these landscapes must be seen as both impossible and patently ridiculous. Such a myopic purview is no “hard look.” As we are all only too well aware, the natural systems and wildlife on watersheds are neither enhanced nor constrained by the artificial boundary lines imposed on them by we human beings and our various abstract political, even arbitrary, ownership and management constructs, per se. These existential natural systems are only so enhanced and/or constrained by the environmentally sound management protections we human beings actually provide or do not, as the case may be.”⁶

⁶ UW Scoping Comments for Third Rock, Pg. 3

And: In short, the ecologically draconian “Financial Forestry” version of “Sustained Yield,” so regrettably and widely evident on those same intervening private industrial timberlands today, is made economically feasible, to a significant extent, by shifting most of its external environmental and local government funding costs onto the life sustaining watersheds within the “checkerboard” in general, and onto the public lands within that checkerboard, which are managed by the BLM, including those of the Third Rock proposal, in particular. This environmentally unjust, economically imbalanced and chronic inequity needs to be corrected before renewed extractive demands that, from expedience, create still more relatively large canopy openings on public lands are undertaken, yet again.

In the wider public interest, because of these current contextual conditions, and in light of its own environmentally profligate past practices, BLM has the right and bears a great deal of the responsibility for helping to adjust this gross imbalance. UW will be closely watching how well the agency fulfills this statutory obligation, which is so closely entwined with the public trust. The degree to which this obligation (and others) is honored or discounted will be reflected in UW's future comments on forthcoming documents related to Third Rock.”⁷

Regarding the environmentally pernicious Financial Forestry model, as currently in wide use in Western Oregon and elsewhere, well known Oregon sustainable forestry consultant, Mr. Roy Keene, has this to say: ***“The way I've always made this concept edible for public consumption is that in most west side industrial tree farms, money grows faster than Doug-firs after about 40 years, thus the incentive to log teenage trees.”*** Thus does the short rotation clear cut, industrial fiber farm extractive paradigm, so ubiquitous on the most unfortunate and environmentally destructive checkerboard ownership pattern in which so much of RBBLM's holdings exist, including Third Rock, impinge upon the ecological health and natural functioning of **our** public forestlands.

Clearly, these REIT, TIMO and other corporate ownership/management models governing extractive operations on intervening industrial lands have one end in mind and one only: return on investment, whether that return occurs in eight to ten years or in forty. Environmental factors, if they are considered at all, are given short shrift. This leaves the BLM (as well as the USFS) to account for and mitigate the damaging ecological impacts of this short sighted and environmentally destructive “Wall Street Forestry” model. On the watersheds of Third Rock, as elsewhere on the RBBLM District, as on the O&C lands of Western Oregon in general, there is no one and nothing else to do so, most certainly not those private industrial entities operating under aegis of the very retrograde Oregon Forest Practices Act, as it exists today.

As quoted from UW's Third Rock Scoping Comments above, historically speaking, BLM must fully consider and account for the vast over-extraction, across all ownerships, of primary old growth and mature forest on this and all watersheds under the district's management purview when it proposes yet more relatively large canopy openings. To continue to hide behind the purported “sacrosanct” necessity to achieve ASQ is as disingenuous and environmentally questionable a course as the elevation by large REITS, TIMOs and others in “Big Timber” (i.e., ownerships >5,000 acres) of return on investment over conserved or rehabilitated natural functioning of watersheds. It is a violation of the public trust placed in the BLM. It is palpably harmful not simply to the wildlife and plant communities that depend upon the high function of intact watersheds, but likewise to human beings both individually and in their human communities.

⁷ UW Scoping Comments for Third Rock, Pg. 5

UW cites this public trust obligation of the BLM yet again, because the agency has repeatedly failed to respond to our citation of this vast historic over-extraction in numerous NEPA submissions. “ASQ, ASQ, ASQ” we are just as repeatedly reminded of by BLM and by such as the Douglas County Board of Commissioners. Please bear in mind that the original 500mmbf ASQ was predicated upon a 100 year rotation. 100 years indeed! As UW made clear in its Appeal to the IBLA of the Semaphore Timber Sale, this “**Average annual cut therefrom shall not exceed one-half billion feet board measure...**” stricture, as it was stated in the 1937 O&C Act, was honored more in the breach than in fact. “*Within ten years of its adoption, the original, and oft-cited annual allowable cut of 500 million board feet stipulated in the 1937 O&C Act, began to be exceeded. On August 28, 1962, then State Director for Oregon and Washington, Russell E. Getty, authored a paper titled Increase In the Allowable Cut. In part, therein, Getty reported to the O&C Advisory Board the following extractive volumes: 1937 500 million board feet (mmbf), 1947 523.5 mmbf, 1954 534.5 mmbf, 1955 588.2 mmbf, 1956 1,274.8 billion (mmbf), 1957 1,368.4 mmbf, 1958 769.3 mmbf, 1959 874.2 mmbf, 1962 2,104 mmbf. This amounts to the astounding total extractive volume of primary old growth and mature forest of 8036.9 mmbf (billion board feet), and just for those eight particular years alone!*”⁸

Again, an equally important consideration is that this annual sustainable yield of 500 MMBF continued to be substantially, even grossly “exceeded” by actual BLM timber harvesting, as illustrated by ODF’s 50 year (1962-2010) harvest history spreadsheet. **During this half century, BLM harvests averaged 703 MMBF! This average is weighted by some notable decades of heavy old growth harvesting averaging nearly twice the Act’s sustained yield mandate of 500 MMBF.**

A fact never discussed in its NEPA proposals by the BLM (nor, of course, referred to by the Association of O&C Counties et al.) is the simple fact that the original 500 MMBF ASQ discussed above could be based on much longer rotations, in large part because the volume per acre on those late seral forests greatly exceeded the volume per acre available on second and third growth reprod. forest stands today. Thus, the vast historic over-extraction of old growth/mature late seral forest stands by the agency served to violate the O&C Act’s constraints on over-extraction in the temporal as well as the spatial dimensions. And it must be borne in mind as well, that this liquidation of primary forest was carried out for decades, across all ownerships, a shameful and short sighted management history, indeed! For BLM to hide behind current ASQ volumes today is to ignore its part in that regrettable history. “*Pay me now, pay me later, but I will be paid!*” shouts the immutable, infallible and undeniable voice of nature.

PARTICULAR CONSIDERATIONS

NSO

We note the following paragraphs from the Third Rock EA regarding the habitat and predicted persistence of the NSO on the Third Rock Analysis Area:

“Cumulative effects from harvest projects would remove or modify approximately 39 percent (1,563 of 4,040 acres) of late-seral conifer forest habitat used by NSO prey species on federally-administered lands within the NSO analysis area (as described for Issue III, p. 77). The Third Rock Harvest plan would contribute to 0.3 percent of the cumulative loss of late-seral foraging habitat in the analysis area. There would be an additional combined loss of 10 percent (673 of 6,585 acres) of mid-seral (754

⁸ UW Appeal to the IBLA of the Semaphore Timber Sale, Pg. 10

of 4,040 acres) and early-seral (9 of 2,545 acres) foraging habitat. In addition to thinned acres of forest habitat, the remaining 90 percent (6,585 acres) of early and mid-seral habitat within the NSO analysis area would continue to provide habitat for prey species. By comparison, thinning treatments in RRs under Alternative 2 or within all units under Alternative 3 are expected to improve habitat conditions for prey species within NRF and dispersal-only habitats in the long-term, thereby increasing foraging opportunities for NSO within the analysis area.

In conclusion, the distribution of prey species associated with early-successional and mature habitats would change and a variety of NSO prey species would remain available under the action alternatives. Retention areas within harvest units and the Reserve system would continue to provide prey resources for NSO. Although conifer forest habitat would be removed and reduce foraging opportunities for NSO under Alternative 2 of the Third Rock Harvest Plan, this loss of habitat is not expected to preclude or appreciably reduce NSO prey species within the analysis area and therefore, this issue was not analyzed in detail.

In conclusion, the distribution of prey species associated with early-successional and mature habitats would change and a variety of NSO prey species would remain available under the action alternatives. Retention areas within harvest units and the Reserve system would continue to provide prey resources for NSO. Although conifer forest habitat would be removed and reduce foraging opportunities for NSO under Alternative 2 of the Third Rock Harvest Plan, this loss of habitat is not expected to preclude or appreciably reduce NSO prey species within the analysis area and therefore, this issue was not analyzed in detail.”⁹

Other than to voice its great concern about the nearly cavalier regard the agency seems to accord, above, when it makes this statement: *“Cumulative effects from harvest projects would remove or modify approximately 39 percent (1,563 of 4,040 acres) of late-seral conifer forest habitat used by NSO prey species on federally-administered lands within the NSO analysis area (as described for Issue III, p. 77).”* Given poor nesting and rearing data for the NSO, the removal of 13 acres of late seral along with 754 acres of mid seral prey base habitat (which removal must also impact the NSO itself over and above the prey issue) is a continuance of the agency's *“Oh, this little bit won't hurt!”* attitude. This, of course, is reminiscent of BLM's attitude toward carbon release/sequestration vis a vis climate change as well as the chronically depleted summer streamflow issue. For RBBLM's convenience we repeat here the operative descriptor: **“cumulative.”**

And yet again, UW is forced to highlight the total lack of data regarding the habitat and persistence of this greatly threatened species on the vast intervening private industrial lands of Third Rock, as elsewhere in RBBLM's purview, and how that private habitat condition relates to NSO habitat and persistence on the adjacent and proximate public lands. For example, the occupied NSO nest site (Harrington Creek) on **25, 2, 7** as well as the Taylor Creek site on **25, 3, 13**, with unknown occupancy status, will be directly impacted by the large clear cut proposed for private land section 25, 2, 18. And needless to say, there are numerous large clear cuts on private lands north and west of these nest sites and core areas. When the BLM regens planned for 25, 2, 5 etc. are added to the mix, how valid are the tables that reveal impacts to NSO habitat here? Here is how BLM itself assesses impacts to the Harrington occupied nest site, one of only two on this analysis area: *“The most substantial loss of dispersal-only habitat would occur within three core-use areas; regeneration harvest would remove 51*

⁹ Third Rock Harvest Plan EA, App. C, Pp. 77, 78

percent (74 of 145 acres), 61 percent (17 of 28 acres), and 73 percent (11 of 15 acres) within the Harrington Trib, Lower Stoney Creek, and Pond View core-use areas, respectively (Table 3-9). **Removal of dispersal-only habitat would reduce the amount of habitat available to facilitate movement between stands of NRF habitat in these habitat-limited core-use areas. As a result, these stands would no longer be available for NSO movement and dispersal between patches of NRF habitat within the analysis area. Dispersal function is not expected to return for approximately 40 years, when the stands reach a canopy cover of 40 percent or greater and an average diameter at breast height (DBH) of 11 inches or greater (Thomas et al. 1990).¹⁰** (emphasis, UW)
Recovery in 40 years, you say? Cavalier, indeed!

Hydrological

In Appendix C of the Third Rock EA, BLM makes the following statement regarding the impact of its proposed extraction on the strongly inferred chronically depleted summer streamflow issue disclosed by Perry-Jones 2017: *“The effect of BLM timber harvest on low flow (aka low streamflow, summer (July through September) streamflow) is considered but not analyzed in detail in part because stand ages that maintain and restore low flow timing, magnitude, duration, and spatial distribution already occur or are on a trajectory to occur on much of the BLM-administered land within the planning area for the 2016 RMPs for Western Oregon. The effect of timber harvest on low flows is considered but not analyzed in detail in the 2016 PRMP/FEIS to which this EA is tiered. The 2016 PRMP/FEIS concluded that timber harvest under the Proposed RMP would not have a measurable effect on low flows at the subwatershed or watershed scale due to the maintenance of riparian vegetation and the limited extent of the Harvest Land Base (USDI BLM 2016, pp. 408-409). This analysis is incorporated here by reference.”¹¹*

First of all, since the paired stream data undergirding Perry-Jones does not specify when the depleted summer flow condition will abate, simply because that long-running data has not arrived at such a restored flow regime as of yet, it is highly speculative for BLM to claim, as it does above, *“...already occur or are on a trajectory to occur on much of the BLM-administered land within the planning area for the 2016 RMPs for Western Oregon.”*

Secondly, to say that timber harvest on BLM *“...would not have a measurable effect on low flows at the subwatershed or watershed scale due to the maintenance of riparian vegetation and the limited extent of the Harvest Land Base (USDI BLM 2016, pp. 408-409).”* is both misleading and specious, in our estimation. As discussed at length in numerous UW NEPA submissions to the BLM, riparian reserves, as a component of green tree retention on regens. do not and cannot mitigate for depleted summer flows.¹² We therefore strongly reject this contention.

Furthermore, and as often repeated by UW, for BLM to claim: *“The 2016 PRMP/FEIS concluded that timber harvest under the Proposed RMP would not have a measurable effect on low flows at the subwatershed or watershed scale due to the maintenance of riparian vegetation and the limited extent of the Harvest Land Base (USDI BLM 2016, pp. 408-409).”* is without basis, simply because therein BLM has again chosen to act from a perspective of denial regarding the oft-times badly clear cut/monoculture fiber farm plantation condition of the intervening private industrial timberlands.

¹⁰ Third Rock Harvest Plan EA, Pg. 40

¹¹ Ibid., App. C, Pg. 92

¹² Please see UW Appeal of the Woodchuck T.S., Pp. 9, 10, 11, 12, 13.

Then lo and behold, in Section G of Appendix C, at long last mention is made, by BLM, of the actual and true context of the public lands of Third Rock thus: “*The BLM’s ecologically based forest management practices are unlike private industrial forest practices and the BLM’s practices minimize streamflow changes.*”¹³

Here we see BLM finally referring, if in a generalized and almost offhand way, to the retrograde practices so common under the OFPA, comparing them with their own “*...ecologically based forest management practices...*,” in our reading thereby implying that BLM’s practices are obviously environmentally superior. How then to account for BLM’s contention, by implication, that these best practices on public lands will render these shared watersheds and their stream catchments in an acceptable ecological condition? How can this be? Thus, UW stands firmly behind this statement from its scoping comments: “*In brief, UW recalls to BLM’s attention, the dire implications of the Perry-Jones 2017 study, for hydrological functioning on these watersheds. We strongly suggest that the creation of yet more relatively large canopy openings thereon, however configured, can only worsen a strongly and reasonably inferred chronically depleted low summer flow condition. As previously recommended to the South River Field Office of the Roseburg District, UW is convinced that this condition should be considered adverse until proven otherwise. Consultation with the USFWS, NMFS, the USGS and/or the Oregon Water Resources Department on chronically depleted summer flows, we further feel, is requisite, as is the careful assemblage of a scientifically supported, data rich and comprehensive EIS that addresses this strongly suggested and likely chronic depleted flow condition and other cumulative impacts; these being resultant from the above-discussed historic and vast liquidation of primary forest, on lands public and private, and of its subsequent conversion to plantation stands. Again, the ecologically harmful impacts flowing from this management history can only be worsened by the private land clear cut, monoculture, herbicide, fiber farm plantation management paradigm current on adjoining and proximate private industrial lands in this analysis area. Certainly, creation of yet more relatively large canopy openings on public lands within this contextual landscape can contribute little to nothing toward requisite mitigation and restoration.*”¹⁴

Finally, regarding the issue of a chronically depleted summer flow condition, we repeat yet again, what we stated in UW’s Protest of the Canyon Breeze T.S.: “***Again, for emphasis: flowing from the above-mentioned “tunnel vision,” and as carefully demonstrated by UW in its aforementioned comments, BLM is attempting to use the presently degraded low summer flow, chronic in our estimation, as the base line from which to gauge the impact of its management proposals.*** By UW’s best reckoning, BLM appears to hold that the unfortunate and severe environmental consequences of the vast conversion of primary forest to plantation, on lands public and private across this analysis area, for decades, in conjunction with the persistent clear cut/plantation activities currently conducted on private holdings, actually collectively constitute that very baseline, degraded as it may be. Forcefully, and not for the first time, we say no. Such a chronically depleted baseline cannot, does not, and must not be allowed to be used in this way. By not referring NEPA participants to actual, accurate historic low streamflow data (or credible modeling, where such data is unavailable); historic data with which to credibly compare current low summer streamflow data, BLM is, in effect, attempting to “pull the wool” over participants’ eyes. (In the event, UW prefers to think that such obfuscation, by BLM, is not deliberate, but simply the result of long practice, however mistaken and ill-informed; and perhaps due, in part, to loss of institutional memory.)”¹⁵ (For further clarification of its position on the chronically

¹³ Third Rock Harvest Plan EA, App. C, Pg. 95

¹⁴ UW Third Rock Scoping Comments, Pp. 5, 6

¹⁵ UW Protest Canyon Breeze T.S., Pp. 6, 7

depleted summer flow issue, UW very much recommends review by RBBLM of this entire section of UW's Canyon Breeze T.S. Protest, pages 2 thru 15.)

Roads

Section F of Appendix C, ironically titled (or perhaps whimsically) Watershed Context, in point of fact provides very limited contextual information. While its two paragraphs do discuss forest roads and their obviously detrimental hydrologic impacts, as well as the influence of stand aspect and seasonal precipitation on summer stream flow, the vast private industrial lands adjacent and/or proximate to the public lands of the Third Rock proposal get no mention. Yes, as BLM reports, “...*the National Marine Fisheries Service stated that “It is difficult to separate effects of timber harvest on stream flows from effects of roads, but the major influences appear to be from roads... (USDC NMFS 2005). Roads may influence low flows in small, headwater catchments by diverting subsurface flow laterally across hillslopes with the net effect being an increase in flows in some streams at the expense of others (Moore and Wondzell 2005). According to Perry (2007 p. 80 Figure 4–12), there is some evidence that road construction alone altered flowpaths and drainage efficiency, creating streamflow surpluses in the fall and deficits in the summer during the roads only period in Andrews WS3. Implementing BLM Management Direction, PDFs, and BMPs protects water quality and decreases road-related changes to the magnitude and timing of streamflow.”*¹⁶

PDFs and BMPs notwithstanding, adding **7.23 miles** of new roads over against decommissioning of only **1.05 miles** in addition to the existing road network on and/or adjunct to Third Rock of **41.58** renovation miles is a significant imposition on a landscape already sporting a spider web of forest roads, public and private, these private miles in god knows what maintenance condition, and, as per usual, not discovered nor disclosed as to that condition, nor as to the existing number of miles.

Finally, we remind BLM that, as well as causing significant hydrological interruption and riparian degrading (sedimentation etc.), forest roads are significant vectors for invasive species and for human caused wildfire ignitions, not to mention the obvious imposition of seemingly endless miles of edge effect on the already fragmented landscapes of Third Rock.

Therefore, UW repeats yet again, that effectively ignoring the impacts, hydrological and otherwise, of the private clear cut, monoculture, fiber farm plantation management model, so obviously present on this landscape, not only on BLM holdings, but upon the hydrological outflow from entire watersheds and their included catchments, is of little utility to NEPA participants in evaluating BLM's claims regarding natural function thereon. For repeated lack of the discovery and disclosure of indespicable contextual data, as outlined above, we remain very much unconvinced. Follows how UW stated its case months ago, in its Scoping Comments for Third Rock: “*Vectors for sylvan disease, invasive species, human caused wildfire ignition, unwanted off road vehicle trespasses, disruption of natural hydrological function, sedimentation etc., forest roads are themselves an invasive and unnatural environmental intrusion on the forested landscape of the Third Rock Area, as elsewhere. As BLM knows, there is already an extensive road imprint here. An additional eight miles of new road construction, whether seven miles of same will be decommissioned or not, is cause for great environmental concern. UW cannot help but think that proposing a possible eight new road miles coupled with expensive (and often less than effective) decommissioning amounts to the “extractive tail” wagging the “forest road dog.” We urge BLM to adopt a more conservative approach to the*

¹⁶ Third Rock Harvest Plan EA, App. C, Pg. 95

*management of these public lands, if that will reduce road miles. If the restoration of high watershed function is an eventual outcome for this area, as we believe it should be, then adding more road miles, rather than eliminating road miles already extant, certainly seems the wrong way to go about it.*¹⁷

Climate Change and Carbon Release/Sequestration

In its Scoping Comments, UW stated its view of BLM's denial, in effect, of the cumulative harmful impact of the incremental release of carbon into the atmospheric carbon pool emanating from BLM's extractive proposals, as well as BLM's effective denial of the even greater and repeated release of carbon from the clear cut extractive and related practices on the intervening private industrial lands of Third Rock. **(This latter is, in actual fact, the current carbon-sequestration/release context, if you will, of Third Rock.)** We expressed our view thus: *“It was and remains Umpqua Watersheds' informed position that the above-discussed chronic hydrological condition is not obscured by the onrushing and increasingly palpable impacts of anthropocentrically generated climate change, but only magnified and intensified by the overarching worldwide threat climate change represents to the natural systems and the wildlife and human communities those foundational natural systems sustain, or not, as the case may be. A de facto concurrence with this chronically depleted summer flow, in addition to other ecologically damaging, and cumulative environmental impacts resultant from management practices, historical and current, public and private, can never be seen as an effective strategy for mitigating the increasingly palpable impacts of onrushing climate change. For the BLM to continue to maintain, as it has in the past, that the incremental impact of each of its particular extractive actions is of little consequence to the overall carbon release/sequestration scenario, is disingenuous at best, and irresponsible at worst. In effect, such an oft-stated position amounts to death by a thousand cuts, as it were, and represents an effective, if lamentable, betrayal of the public trust, in exchange for political expedience and short term financial gains, which can only accumulate to catastrophic losses, in the long term. This unhelpful “carbon management perspective” is greatly compounded when the management practices on intervening private industrial lands, as related to carbon-sequestration, climate change etc, are effectively ignored in forthcoming decision documents and actions. This “carbon context” needs to be fully discovered and disclosed in any forthcoming NEPA analysis.*¹⁸ **UW stands by these statements and regrets that they have apparently been either ignored and/or disregarded by BLM when it produced the Third Rock EA. For shame!**

To wit, **on page 89 of Appendix C**, BLM offers the following rather shortsighted claim (Again, as in other critical areas, such as the persistence of listed species etc., the agency seems to be saying that *“This little bit more won't hurt!”* This kind of misleading statement flies full in the face of NEPA's requirement that cumulative impacts be discovered and disclosed.): ***“How would proposed actions affect carbon sequestration and storage? The effects of the proposed action on carbon storage and greenhouse gas emissions is not analyzed in detail, because, regardless of project-specific or site-specific information, there would be no reasonably foreseeable significant effects of the proposed action beyond those disclosed in the 2016 Final Environmental Impact Statement.”*** This convoluted statement amounts to little more than sleight of hand, a use of legerdemain that is itself nothing less than a betrayal of the public trust granted BLM by the people of the United States of America.

And neither does the following statement offer any further information or reassurance that the requisite “hard look” at the spatial/ownership/management context of Third Rock has been credibly taken: ***“Assuming no changes in disturbance regimes such as fire and insects (acres affected and severity of***

¹⁷ UW Third Rock Scoping Comments, Pg. 6

¹⁸ UW Third Rock Scoping Comments, Pg. 6

*impact) from the recent past, timber harvesting is the primary activity affecting carbon storage (FEIS, p.169)."*¹⁹ If, as stated above: "...*timber harvesting is the primary activity affecting carbon storage...*" then to effectively neglect the palpable environmental impacts of the massive clear cut "harvesting" of timber from the private timberlands of Third Rock, as elsewhere on the RBBLM District, is to effectively neglect the detrimental impacts of that activity on climate change, as well as the bulleted impacts discussed by UW on page 4 of these comments.

With BLM's above reference to timber harvesting in mind, UW offers the following excerpt from the publication, Oregon Forest Carbon Policy, V1.0 12-11-17, prepared by Mr. John Talberth, PhD., President and Senior Economist with the Center for Sustainable Economy, in Portland, Oregon: "***Timber harvesting is the single largest source of greenhouse gas emissions in Oregon taking into account (1) stored carbon removed from site and lost in the wood products manufacturing process and subsequent decay of final products; (2) the lost sequestration capacity of clearcut lands and logging roads, and; (3) emissions associated with decay of logging debris.***"¹⁹²⁰ (We strongly recommend Talberth's full paper to BLM's attention. Likewise, we strongly recommend review by RBBLM of UW's **Protest Concerning Carbon Issues**, a portion of its Protest of the Canyon Breeze T.S., pp. 15, 16, 17, 18 and 19.)

Tier, if you will, to the 2016 ROD (aka WOPRjr.) from now until the Second Coming, BLM. In our estimation, such reference is essentially meaningless in regard to cumulative impacts, when such regional governing documents likewise fail to discover, disclose and fully and credibly acknowledge the historic and current contextual condition of the watersheds of Western Oregon, across all ownerships.

Mark it well: all of these additions to the atmospheric carbon pool combined with the destruction of carbon sequestration on lands public and private of the Third Rock Analysis Area are cumulative and harmful. **Cumulative** precisely in the sense that **1 + 1 = 2, 2 + 2 = 4, 4 + 4 = 8** and so on, **ad infinitum, as far as numbers and summations of impacts go!** **There are no complex algorithms, arcane data or expensive and time consuming analyses involved here, just logic, simple common sense and (not personally speaking but agency-wise) a sufficiently developed sense of responsibility vis a vis the maintenance and/or restoration of the environmental basis upon which all life, human and otherwise, is completely and irrevocably dependent.**

Conclusion

With the several critical environmental issues discussed above in mind, UW favors a conservative implementation of Alternative #3. Conservative, that is, in the sense of these modified remarks from UW's Scoping Comments for Third Rock: *UW cannot help but think that proposing a possible 7.23 miles of new road miles coupled with expensive (and often less than effective) decommissioning of a mere 1.05 miles, amounts to the "extractive tail" wagging the "forest road dog."* We urge BLM to adopt a more conservative approach to the management of these public lands, if that will reduce road miles. *If the restoration of high watershed function is an eventual outcome for this area, as we believe it should be, then adding more road miles, rather than eliminating road miles already extant, certainly seems the wrong way to go about it.*

¹⁹ Third Rock Harvest Plan EA, App. C, Pg. 90

²⁰ Oregon Forest Carbon Policy, V1.0 12-11-17, Pg. 2 <http://news.streetroots.org/sites/default/files/Oregon%20Forest%20Carbon%20Policy%20Technical%20Brief%201.0.pdf>

As we have attempted to clearly and honestly state above in these comments, BLM must fully acknowledge and credibly account for the past and present management context on these watersheds, across all ownerships, in order to assess the true nature of its extractive proposals on Third Rock, as elsewhere on the district. Without a credible baseline from which to measure the impacts of its actions, how can BLM personnel, no less concerned NEPA participants, be expected to make management decisions and/or judge their appropriateness in the most beneficial and useful way, going forward?

Sincerely,

Joseph Patrick Quinn
Volunteer Conservation Chair,
Umpqua Watersheds, Inc.