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Ryan Desliu
Bureau of Land Management
Myrtlewood Field Office
1300 Airport Lane
North Bend, Oregon, 97459
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Dear Ryan Desliu:

Please accept these scoping comments, from Umpqua Watersheds, Inc. (UW), for the **DOI-BLM-ORWA-C040-2019-0006-EA** Big Weekly Elk Forest Management Project (BWE). UW thanks Coos Bay BLM for this opportunity to submit its concerns regarding this proposed project.

Critical Habitat

In reviewing the area described in **Table #1** of the BWE Scoping Document, we note the presence of critical habitat for either Northern Spotted Owl, Marbled Murrelet or both on 27S-10W (MAMU & NSO), 28S-10W (MAMU & NSO), 29S-10W (MAMU & NSO), 30S-10W (NSO), 27S-11W (NSO), 29S-11W (NSO) and 30S-11W (MAMU & NSO).

With that widespread critical habitat well in mind, we read this in the BWE Scoping Document: "*The LSR and RR treatment areas, within these watersheds, are interlaced or overlapping with existing Northern spotted owl and marbled Murrelet habitat. The proposed action in these land use allocations would include silvicultural treatments (gaps, variable thinning densities, stand retention areas, tree tipping, creation of yarding corridors, tree planting) **transportation management opportunities (including road building, road renovation/maintenance, road decommissioning, and culvert removal/replacement/ installation) and fuels management (pile burning).***" (Emphasis UW)¹ UW finds the "*...including road building...*" portion of the above paragraph to be particularly

¹ BWE Scoping Document, pg. 2

worrisome. The imposition of new road miles into these reserves, we strongly believe, should be avoided. Restoration activities thought to be necessary therein would be best accomplished without the construction of additional road miles.

That said, UW does endorse the use of Variable Density Thinning (VDT) in the HLB, provided areas left open are small in size. Given the unfortunate history of liquidation of primary old growth/mature forest here and up and down the Coast Range, and its replacement, often enough, with Douglas Fir plantations, we do not favor regeneration extraction at this time. If the gross extraction of primary forest across all ownerships in the decades preceding adoption of the Northwest Forest Plan had not been so egregious, and if the clear cut/fiber farm plantation model were not, currently, so prevalent on so much of the intervening private, UW believes that the BLM would enjoy greater latitude with its effort at adjusting decadal age class forest stands via regeneration extraction. Alas, that unfortunate history of over-extraction of primary forest, across all ownerships, is fact. Likewise, the current retrograde OFPA clear cut model is also fact.

Given the rapidly declining state of NSO conservation/reproduction/restoration in Western Oregon, and given the "checkerboard" arrangement of alternating ownerships on this analysis area, UW urges CBBLM to be especially conservative in its application of regeneration extraction, of too heavy commercial thinning (e.g. to <50% canopy closure) and of adding to the already overbuilt (across all ownerships) spider web of forest roads on the public lands it manages, in trust, for all of the people of the United States of America.

This is not to imply that conditions for the maintenance of Marbled Murrelet numbers are especially encouraging, noting the particular vulnerability of this unique sea/land bird to increasing edge effects created by large clear cuts and road building on adjacent and proximate private industrial timberlands, to which the imposition of any relatively large canopy openings (however they may be configured and euphemistically labeled), and the addition of yet more forest road miles on the public lands of this analysis area would be indisputably **CUMULATIVE**, and cumulatively harmful.

Likewise, UW notes the presence of Oregon Coastal Coho Salmon critical habitat stream miles on virtually all of the townships being considered for management activities on BWE. Although not authorized to speak on its behalf in these comments, UW's conservation chair also volunteers as Vice President of the Executive Board (and representative for Camas Valley) of the Coquille Watershed Association (CoqWa). More than ten years of involvement with the latter non-profit, have given me a clear picture of the nature and extent of riparian degradation throughout the Coquille Basin (as well, from my past participation with Oregon DEQ's Coquille Basin TMDL citizen advisory group). Many volunteer and staff hours as well as grant money and technical and advisory expertise from private entities as well as tribal, county, state and federal government agencies (including CBBLM) have been directed by CoqWa towards the conservation and ultimate restoration of this and other iconic anadromous fish species. With so much of these watersheds existing in a clear cut and/or fiber farm plantation as well as an extensive "over-roaded" state, often, too often reflecting badly degraded riparian conditions in the Coquille Basin, this is no time for the BLM to propose the imposition of yet more large canopy openings and their ancillary activities on these or any of the watersheds where it has a management stake. Because of past mismanagement across all ownerships, as well as the environmentally retrograde extractive management current on the intervening private timberlands of the Coquille, it is our informed opinion that ASQ must take a back seat to conservation and rehabilitation of natural terrestrial and aquatic function on BWE Analysis Area, as elsewhere under

management authority of the BLM.

A Landscape-wide Approach

UW urges the BLM to take a holistic, landscape-wide approach to its management activities on this analysis area. In that vein, and as a necessary guiding principle, we strongly recommend that CBBLM include the clear language of the 1937 O&C Act, "tiering" to its mandates to protect watersheds, regulate streamflows and provide for recreation, in the purpose and need statements of any forthcoming EA. In its past NEPA submissions, UW has offered compelling primary historic evidence that these mandates were front and center, right alongside the vaunted Sustained² Yield model, in the mind of the act's principal author, explicator, guide through the legislative process and leader in its initial implementation, Walter H. Horning.

From a speech delivered by this same Walter H. Horning to the Annual meeting of the Western Forestry and Conservation Association in Portland Oregon, in December of 1937 we quote the following: *"Utilization of the forest must be managed in such a manner as to avoid depletion of the forest capital; the interest alone may be safely used. The observance of this principle is essential in providing for the stabilization of the economic life of communities, which are dependent upon the forest."*³

In that same Portland speech, Horning further states: *"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 further more it contributes to the general satisfaction and happiness of the inhabitants of a region by keeping the landscape in a green and attractive condition.**"* (emphasis, UW) A "green and attractive condition" indeed! Thus, critical environmental, as well as aesthetic, considerations were, indisputably, a key part of the 1937 O&C Act, from the beginning!

Furthermore, we remind BLM that nowhere in that act are these mandates directed solely at the public forestlands within the O&C checkerboard of alternating ownerships. The act specifies protecting watersheds and regulating streamflows, period. With that mandated landscape-wide purview in mind, UW recalls BLM's attention to the fact that logs purchased from the BLM (from USFS as well) are subject to payment of the Oregon Forest Products Harvest Tax (OFPHT). Yes, as we have indicated many times before, while it is the log purchaser that is responsible for payment of this tax to the Oregon Department of Revenue, Economics 101 teaches that bid price includes (or ought to) the sum of all liens, including tax liens. From this it is clear that the BLM both enjoys the right and bears the subsequent responsibility to object to the suite of deleterious impacts⁴ visited upon the public lands it manages by the clear cut, aerial herbicide, monoculture fiber farm model of forest management as practiced under aegis of the Oregon Forest Practices Act (OFPA), and which is all too evident on so much of the intervening private industrial timberland of the BWE Analysis Area, as elsewhere on watersheds where BLM has a management stake.

Thinking again of a landscape-wide approach, UW urges CBBLM to recall the many pages of NEPA submissions from UW, highlighting the chronically depleted summer streamflow regime so strongly inferred by the many decades of paired streamflow data collected by the USFS at the H.J. Andrews and

² **N.B.:** Sustained, yes, although most often, hardly sustainable.

³ Price, Frank N., 2005, Protecting Watersheds, Regulating Stream Flow, and Providing Recreational Facilities: The Intent of this Language in the O & C Act, Early Interpretation and Historic Context, Pg. 4, 5.

⁴ Please see UW Comments Upper Rock Creek EA, pg. 8

South Umpqua Experimental Forests; data which informs the Perry-Jones 2017 Special Paper. This issue is real. Ignoring or discounting its obvious relevance and critical importance to all living creatures on these beleaguered watersheds, including we human beings, will not make it disappear. UW assures BLM: it will not go away!

After all, CBBLM is not the majority ownership on this analysis area. The various, and often laudable BMPs, PDFs and other regulations applicable to the public lands managed by the agency are not the parameters guiding (or not) extractive activities on the adjoining and proximate private industrial timberlands of the O&C checkerboard of alternating ownerships. Quite the contrary, the clear cut/monoculture fiber farm plantation model, as practiced under aegis of the OFPA, stands (or falls) in stark contrast to those somewhat more environmentally enlightened methods guiding BLM management. What is worse yet, private industrial extractive practices not only impose harmful and **CUMULATIVE** environmental impacts on those public forestlands, but they effectively obviate many of the conservation/restoration efforts undertaken on those adjacent and proximate public lands, whether that be conservation/restoration of imperiled species, ESA listed or not, low flow, carbon sequestration/climate change, connectivity, biodiversity, wildfire resilience⁵ etc.

Indeed, again regarding the issue of a chronically depleted summer low flow regime, and as noted in UW's Protest of the Camas Overlook T.S., as elsewhere, CBBLM makes the following statement; "Interestingly, addressing this inferred and chronically depleted summer flow condition, **CBBLM's** Upper Rock Creek EA (**DOI-BLM-ORWA-C040-2016-0007-EA**) states the following: "*Private industrial forestlands account for 67 percent of the acres in the analysis area, and the BLM assumes that the relatively young private age class distribution that we see today is very likely the age class distribution that we will see in the future—a distribution resulting from one or more rotations of relatively high intensity, short duration forestry. Over time, private would produce relatively small contributions to older forest age classes due to access and productivity limitations, and maturation of Riparian Management Areas, and this would benefit low flows. Clear cutting most of a young stand on private, 40 years for example, would produce low flow surplus relative to the 40 year old stand and a much older stand, 130 years for example, due to reductions in interception and evapotranspiration. As the clearcut “matures” to rotation age (40 years for example) it may undergo little to no low flow deficit relative to the previous young forest of vigorously growing trees, **but it would exhibit low flow deficit relative to the historical low flow condition at rotation age. Private, therefore, cycles between low flow surplus for a few years post-harvest and current low flow conditions (low flow deficit inferred from Perry and Jones’ analyses of clearcutting 130+ year old forests).**"⁶ (Emphasis, UW) Here we see CBBLM specifically and pointedly referring to summer flow deficits as measured from a 'historical low flow condition.'"*

Significantly, in our estimation, the Swift Water Field Office of the Roseburg BLM echoes this critical perspective in its Deadman's Folley EA (**DOI-BLM-ORWA-R040-2017-0002-EA**), further reinforcing UW's reasonable and logical assertion regarding the present degraded vs a historic low summer flow regime:

"Low flow analysis, unlike peak flow analysis, has no threshold or linear envelope curve (Grant et al. 2008, p.35) to facilitate comparison of proposed BLM harvest treatments and study results. It is also not possible to directly compare the results in Perry and Jones (2016) with Federal forest management

⁵ See: ZALD, HAROLD S. J. AND DUNN, CHRISTOPHER J. Severe Fire weather and intensive forest management increase fire severity in a multi-ownership landscape

⁶ Upper Rock Creek EA, App. B, Pp. 101, 102

*because the BLM does not clearcut entire catchments of 130+ year old forest*⁷. It is too simplistic to say that treatment designs on BLM-managed land in Douglas-fir dominated forests across the Pacific Northwest experience low flow surplus for 15 years, low flow deficit from 15 to 130 years, and low flow recovery after 130 years. **This simplistic accounting is more plausible for private industrial timberlands that are managed on a 40-year rotation with dense reforestation. Periods of surplus and deficit alternate in time and space on private holdings across subwatersheds, but stands never return to a state of low flow hydrologic recovery.** Contrast this with BLM management where VRH occurs in stands older than 40, and Riparian Reserves and other retained portions of the stand reduce low flow changes and alter the trajectory of low flow hydrologic recovery." (Emphasis UW)⁸*

Repeated for emphasis: "... but stands never return to a state of low flow hydrologic recovery."

Given this, BLM's own apparent perspective on the low flow issue, UW concludes, and not for the first time, that any analysis of the hydrological impacts of public land regeneration extraction on the BWE Analysis Area must not be measured from this already depleted baseline! Furthermore, UW firmly believes that agency persistence in doing so, as it has so persisted in the past, must be seen as contributing significantly to the prevention of the conservation and ultimate restoration of species on BWE, as elsewhere, that are currently listed under the ESA, itself an apparent violation of that seminal act.

Conclusion

It follows then, and administrative probity demands, that BLM must not pretend, either to itself or to the concerned public and NEPA participants, that all is well across these watersheds, environmentally speaking, because it employs such and such best practices, and because it abides (in many, though not all) cases by such guiding strictures as the Clean Water Act, the Endangered Species Act, etc on the public lands it is responsible for. Obvious to anyone blest with decent eye sight and possessed of reasonable intelligence, high quality habitat and ecological services that flow from high functioning habitat are far, very far from ubiquitous across the Big Weekly Elk Analysis Area, nor elsewhere, in too many instances, up and down the Oregon Coast Range, wherever the infamous and most unfortunate "checkerboard" of alternating ownerships obtains.

Sincerely,

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⁷ **Yes, but the intervening private industrial clear cuts with a vengeance!**

⁸ Deadman's Folley EA, Pg. 102