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THEODORE R. KULONGOSKI
Governor

January 10, 2008

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Mr. Edward R. Shepard, State Director
USDOI Bureau of Land Management
PO Box 2965
Portland, OR 97208

Re: Western Oregon Plan Revisions

Dear Director Shepard:

I appreciate the opportunity afforded the State of Oregon to participate with the Bureau of Land Management (BLM) Western Oregon Plan Revision under the agreement that gives the State cooperating agency status. In keeping with that agreement I anticipate that individual agencies will continue to provide detailed, more technical input as you move further toward a final plan. Recognizing that much of that work remains, I am providing the guiding principles that will frame our ongoing cooperating agency involvement as your planning process advances.

First, the State of Oregon recognizes that the Oregon and California Lands Act of 1937 (O&C Act) places a different set of constraints and management requirements on BLM than exists on other federal forestlands. The O&C Act provides the primary legal authority for the management of most of the BLM land in Western Oregon and requires the lands be managed "... for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating stream flow, and contributing to the economic stability of local communities and industries, and providing recreational facilities ..." (43 U.S.C. §1181a).

Oregon also recognizes that BLM's decision space is bounded by the legal requirements in other laws, especially the Endangered Species Act and Clean Water Act, and to a lesser degree by requirements to be consistent with State plans, policies and programs. 43 CFR 1610.3-2(e) says that BLM's plans "shall be consistent with officially approved or adopted resource related plans, and the policies and programs contained therein..." when they are consistent with the purposes of federal statutes.

I feel it is wholly possible to produce a plan that meets all of these requirements and creates outcomes that are clearly in the best interest of national, state and local needs. Attached

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is a set of coequal and linked principles that we think will lead to this result. These principles cannot be treated in isolation, but rather they should be read and addressed as an integrated whole. As I have indicated, you can expect these to frame the cooperative work of Oregon's state agencies as you move to completion.

Sincerely,

THEODORE R. KULONGOSKI
Governor

TRK:mc:jb
Enclosure

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TWELVE COEQUAL PRINCIPLES

1. The final plan must be fully implemented through adequate leadership, and human and financial resources.

The current Northwest Forest Plan (NWFP) has not been fully implemented. In particular, adaptive management strategies and timber harvest objectives have not been met. The Bureau of Land Management (BLM) needs to have adequate resources to carry out management strategies that will be adopted in the Western Oregon Plan Revision (WOPR). Budget reductions and reallocations have led to major reductions in federal agency resources since the early 1990s, which has influenced agency capacity and created concern over whether institutional capacities are adequate. The State of Oregon (State) believes it is imperative that the final plan be fully institutionalized within BLM and supported by adequate resources both within BLM and cooperating federal agencies. The State strongly supports a plan that can and will be fully implemented.

2. A robust and detailed monitoring strategy supported by appropriate research must be implemented as a key part of BLM's plan. The monitoring strategy must examine key questions related to the implementation, effectiveness and validity of plan assumptions and objectives, land use allocations, and management actions; and must also be designed to support adaptive management.

Monitoring provides essential information about whether management actions are implemented as directed in the resource management plan, and examines their effectiveness in achieving desired outcomes. The BLM's plan must commit to adequate monitoring and research to generate and utilize new information as it becomes available, and employ an adaptive management approach to ensure that the best available knowledge and information is acquired and used efficiently and effectively. The monitoring approach outlined in the BLM plan must be adequate to provide information needed to support adaptive management.

3. The BLM's plan must produce predictable and sustainable timber harvest as well as non-timber resources and values that contribute to the economic stability of the Oregon & California Lands Act counties.

The Oregon & California Lands Act (O&C Act) states that O&C lands "Shall be managed... for permanent forest production, and the timber thereon shall be sold, cut, and removed in conformity with the principal of sustained yield for the purpose of providing a permanent source of timber supply, protecting watersheds, regulating streamflow, and contributing to the economic stability of the local communities and industries, and providing recreational facilities." Timber sale revenues from these lands are shared by the federal government and counties with the 25 percent federal share dedicated to the administration and management of O&C lands. The other 75 percent was to go to the 18 O&C counties after certain repayment obligations were satisfied.

The past obligations were satisfied by 1952 and, in 1953, the counties received their full 75 percent share. Since 1953, the counties voluntarily returned one-third of their share (25 percent of the total) to the federal government for reinvestment in infrastructure on the O&C lands. The counties' "plowback funds" were used by BLM for construction of roads and bridges,

reforestation, the construction of campgrounds and other recreation sites, and a wide variety of other projects to enhance the economic and recreational value of the O&C lands. The counties view the plowback funds as an investment that would return both revenue and economic contributions. The plowback fund existed from 1953 to 1981.

Since 1982, Congress made the O&C appropriation a direct appropriation to BLM; 50 percent of the total timber receipts were transferred to the US Department of the Treasury as reimbursement for all or part of the direct O&C appropriation. Since 1993, Congress has provided alternative means of making payments to Oregon counties in which Federal timber sales have been restricted to protect listed species. As the authority for the temporary funding from the Secure Rural Schools Act ends, revenue to the 18 O&C counties will again be tied to harvested timber and grazing fees.

Thus, BLM's plan must support local communities through revenues generated by timber sales. The timber sales produced under the plan must be ecologically sustainable and sufficient to contribute to funding sustainable social and economic benefits for local communities. The BLM's plan must integrate the economic contributions and values of fishing, hunting, and wildlife viewing as part of the assessment for the economic values derived under the plan. Timber harvests and other economic contributions from the lands must produce a long-term stable revenue source and economic benefits that are consistent with the intent of the O&C Act.

4. The BLM's approach to managing habitat must comply with the federal Endangered Species Act, aid in the recovery of listed species, and compliment strategies for managing state-owned lands.

The purpose of the Endangered Species Act (ESA) is to protect and recover threatened and endangered (T&E) species and the ecosystems on which they depend. The BLM's management plans must protect T&E species and provide habitat for listed species that is consistent with recovery plans and aids in the recovery of listed species. Federal lands are critical to preventing future listings, ensuring recovery of listed species, and long term sustainability of species at-risk. The BLM plan must be designed to consider future listings, critical habitat determinations, and recovery plans by the USFWS and NOAA Fisheries.

Different forestland ownerships play different roles in providing the habitat conditions necessary for T&E species in Oregon's forests. Forests managed by the Board of Forestry in western Oregon and Klamath County will contribute to the recovery of listed and sensitive species by developing and sustaining a full range of habitat structures and conditions through active management, especially in areas where the amount or distribution of federal lands are not prevalent. These lands are managed to produce and maintain an array of forest stand conditions and structures across the landscape and over time in a functional arrangement supportive of the diversity of species. This approach provides valuable information about the relationship between wildlife and habitat use in landscapes that are actively managed, and will be used to adaptively modify management strategies to improve outcomes over time. The process of defining an overall landscape scale strategy for conserving T&E species is complex, and the approaches on BLM lands must compliment the approaches being taken by the State on its ownerships.

The BLM's plan must add the flexibility needed to design and implement a range of management options for T&E species that provide for the appropriate range of forest conditions

and structure while addressing the risks from uncharacteristic wildfire within the fire-prone provinces. There is a need to integrate fish and wildlife objectives and habitat relationships into agency efforts to adaptively manage fuels. Adaptive management strategies must be designed and implemented to test the effectiveness of alternative management options.

5. Riparian management strategies and best management practices must maintain and restore freshwater habitat for salmonids, contribute to the conservation of other fish and wildlife habitats, and comply with the federal Clean Water Act including sustaining beneficial uses consistent with state water quality standards and by protecting source water used for drinking water.

Aquatic and riparian areas must be managed to maintain or restore high quality aquatic habitat to aid federal salmon recovery efforts and to contribute to the conservation of other species. The habitat and supporting riparian ecosystem functions needed by salmonids are believed to be very diverse, and the abundance and survival of salmonids and many other aquatic species is closely linked to the abundance of large wood in streams. The BLM's riparian management strategy must promote species diversity and enhance forest structural complexity that emulates the structure of forests shaped by natural processes that promote the recruitment of large wood. The riparian management strategy must serve to reduce the risk of extinction for many unlisted species, in particular, those that depend on riparian/wetland ecosystems or late successional forests. Riparian and aquatic habitats must be managed to maintain or restore key functions and processes of aquatic and riparian systems.

To protect water quality, BLM's riparian management strategy must be similar to, and consistent with, management strategies that have been shown to be sufficient to comply with the federal Clean Water Act and meet state water quality standards. BLM must ensure that its plan minimizes adverse impacts on water quality from pollutants including toxics, sediment, and temperature. The plan must include direction to work in partnership with the state and local communities and others. Riparian management strategies must consider the types and intervals of disturbances that would naturally be expected to occur in a watershed – including historical wildfire –-and the planned treatment for the adjacent upslope areas and site conditions. The BLM's management must ensure that source water used for drinking water is protected through Best Management Practices.

6. The BLM's plan must support the Oregon Conservation Strategy.

The Oregon Conservation Strategy (OCS) should be used to help BLM make strategic decisions on conservation issues and for guidance on the types of actions most likely to benefit species and habitats. The OCS describes species and habitats of greatest conservation need, identifies key conservation issues facing those at-risk species and habitats, and provides recommendations for actions and opportunities to address them. Forested, riparian, and aquatic habitats are all priorities in the OCS, as are many aquatic and terrestrial species found in those habitats.

7. The BLM's plan must support the Oregon Coast Coho Conservation Plan, an outcome of the Oregon Plan for Salmon and Watersheds.

It is critically important for the conservation of Oregon Coast coho salmon that the ecosystem functions and processes addressed by NWFP Aquatic Conservation Strategy be maintained. Ecosystem functions and processes on federal lands contribute to the ecological health on

adjacent and downstream private and state lands and these benefits must be considered from a landscape perspective. The BLM must continue implementation of the comprehensive watershed conservation and restoration programs to restore and maintain the ecological health of watersheds and aquatic ecosystems while protecting salmon and steelhead on federal lands. Thus, the BLM plan must include site-specific, watershed, and landscape level strategies that will recover degraded aquatic habitat and sustain watershed processes important to aquatic and riparian dependent species consistent with State and Federal salmon recovery plans. The BLM must maintain its commitment and work with the State to implement effective salmon conservation and recovery measures. Other innovative approaches, such as stewardship contracts and the Wyden amendment must also be used to support implementation of stream restoration efforts in partnership with watershed councils and others.

8. The BLM's plan must support State management plans for deer and other species that balances habitat protection with providing suitable early successional habitat.

Deer and elk, as well as other significant species with early successional habitat needs, are important to the state. Black-tailed deer populations rely on the native food sources found predominately in early successional forest stages. Timber harvest on federally managed lands has decreased significantly over the past 10-15 years, which is one of the factors contributing to declining deer populations in western Oregon. Additionally, the Coastal Landscape Analysis and Modeling Study (CLAMS) projected the area of structurally diverse older conifer forest and habitat for late successional wildlife species to strongly increase, but open, diverse, early-seral conditions are projected to decline over the next 100 years. The BLM's plan must address maintenance and restoration of biological diversity, which will contribute to providing suitable early successional habitat. Strategies for biological diversity must deal with resources at multiple temporal and spatial levels: forest stand, watershed, and broader landscape/regional. The key is a carefully crafted strategy that manages for a broad range of values, and not to the substantial detriment of any one or group of species or habitats. This work should be in context and balanced with requirements for T&E species and OCS recommendations for Late Successional mixed conifer forest and other priority habitats.

9. The BLM's plan must contain a provision to formalize easement and other right-of-way documentation with other resource agencies having management activities adjacent to or on BLM-owned land.

Formalizing right-of-way provisions with state agencies through the planning process would help to ensure recognition of, and compatibility with, BLM's management plans.

10. The BLM's lands must provide a sustainable mix of outdoor recreational opportunities.

The O&C Act specifically directs BLM to provide "recreational facilities" as part of the mix of its land uses. The BLM's recreation management must be compatible with and complimentary to the Oregon Parks and Recreation Department's Statewide Comprehensive Outdoor Recreation Plan (SCORP). The BLM's plan must also be consistent with Oregon Department of Fish and Wildlife management plans that provide for fish and wildlife based recreation.

11. Aggressive strategies must be implemented to control existing and prevent/eradicate new invasive species on BLM lands.

Non-native invasive species are a serious threat to federal forests, as well as adjoining non-federal lands. The BLM must create and implement comprehensive invasive species detection, monitoring, and control strategies for BLM lands that also consider potential impacts to adjacent private and public lands. The strategies must include an early detection and rapid response program for new invasive species, and include the full range of tools to eradicate and/or manage invasive species.

12. The plan must address the interactions of forests and a changing climate; including forest management strategies that can help in sequestering carbon or reduce overall emissions into the atmosphere, as well as addressing the forest health risks that may occur due to global climate change.

Forests and forest products play an important role in maintaining a livable climate. Managing and conserving forests and forest products can partially influence how much human-caused carbon dioxide is added to or sequestered from the atmosphere. Management actions can be implemented to influence future forest ecosystems so that they are better able to accommodate the warmer climates they are likely to encounter. Oregon has stepped ahead of the federal government in addressing this issue. Forests contain about 75 percent of the earth's biomass, so in a state like Oregon, with its highly productive forests, the per-acre potential for carbon storage is among the highest in the world. The BLM's plan needs to include adaptive management strategies to explore options related to these issues.