Letter 4: Idaho Conservation League

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09/07/2006 04:06 PM

To <robbin_boyce@blm.gov>, Greg Yuncevich <greg_yuncevich@blm.gov>
cc
bcc
Subject Idaho Conservation League comments on the Eastside Township DEIS

Attached, pasted below, sent via fax and USPS are our comments on the Eastside Project. Please let me know if you have any difficulty opening the attachment, or if you have any questions about these comments.

-jonathan

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For thirty years, the Idaho Conservation League has worked to preserve Idaho's clean water, wilderness and quality of life.

Robbin Boyce
BLM, Cottonwood Field Office
1 Butte Drive
Cottonwood, Idaho 83522

September 7, 2006

RE: Idaho Conservation League Comments Regarding the Eastside Township DEIS

Dear Robbin,

Thank you for considering our comments on the Eastside Township DEIS. For thirty years, the Idaho Conservation League has worked to protect Idaho's clean water, wilderness, and quality of life through citizen action, public education, and professional advocacy. For more information or to become a member, visit www.wildidaho.org <http://www.wildidaho.org/> . As Idaho's largest state-based conservation organization we represent over 9,000 members, many of whom have a deep personal interest in ensuring that logging projects are consistent with protecting our water, wildlands, and wildlife.

We would like to thank you again for providing the opportunity to tour the project area in June. After reviewing the DEIS however, we remain concerned about the fact that more than 15 miles of temporary roads and more than 2
4-1 miles of new roads will be constructed as part of the Eastside Township project, with limited decommissioning. The road construction, coupled with legacy issues, high levels of sediment over natural conditions, and high values of equivalent clearcut area beg the question of whether or not the

Letter 4: Idaho Conservation League

Comment 4:1
Response: The majority of temporary roads proposed for construction occur in land types that do not have high sediment delivery potential to streams (e.g., ridge tops, upper and mid slopes. The action alternatives identify from 0.56 to 1.13 miles of new permanent road would be constructed - not two miles as you have indicated (See Tables 2.2.1 and 3.8.4). The majority of the new road construction (0.6 mile of road relocation) is proposed so that portions of the American River subdivision road, paralleling the river, can be decommissioned. Consequently, it was necessary to develop an alternate route to the subdivision by relocating the road away from the riparian area and floodplain of the American River.

Appendix H in Volume II of this EIS provides additional discussion regarding aquatic trend analysis. Also additional analysis has been added to this appendix in this Final EIS in response to this and other comments.

In addition to restoration work proposed in the Eastside Project other restoration has been implemented, is currently taking place, and is planned for the near future; all of which support upward trend in the upper South Fork of the Clearwater River subbasin. Refer to the following sections in this EIS, for additional information regarding these restoration actions: pages 41-43 (Table 3.0.1), and pages 171, 172, 180, 181 (Table 3.6.18), and 187. Additional information has been added to Appendix H in this Final EIS.

Letter 4: Idaho Conservation League

4-1 Cont'd upward trend requirement will be met. We appreciate the proposed restoration activities in the project, however, given the presence of sensitive and listed fish species and the impaired state of the South Fork Clearwater River Subbasin, additional restoration is needed to mitigate the effects of this project.

4-2 We also remain concerned about the impacts to unroaded areas. The analysis in the DEIS contains nothing in addition to the information presented in the American and Crooked River Project FEIS. Simply reiterating faulty analysis does not make it any more acceptable. At the same time we are opposed to the construction of a new stream crossing and encourage you to consider alternatives to either approach. In addition, there is no analysis of the impacts to the BLM unroaded area (which lie adjacent to the FS unraoded areas).

Once again we thank you for the opportunity to submit comments on the Eastside Township DEIS. Please send us any subsequent documents for this project. We look forward to continuing to work with the Cottonwood Field Office on this project and others in the future.

Sincerely,

/s/Jonathan Oppenheimer
Jonathan Oppenheimer
Conservation Associate

/s/ Bradley Smith
Bradley Smith
Conservation Assistant

Idaho Conservation League Comments Regarding the Eastside Township DEIS

Watershed

Upward Trend Requirement

4-3 Pursuant to the upward trend requirements for BLM lands in the Eastside Township, the project proposal includes efforts to restore riparian areas along the American River. While these riparian restoration efforts are warranted, given past activities in the watershed that have been highly detrimental, the proposed project contains several aspects that contradict (and even negate the restorative aspects) the upward trend requirement.

Specifically, the Eastside Township proposes to construct up to 15.1 miles of temporary roads, 2.12 miles of permanent roads, and would only result in the decommissioning of up to 3 miles of existing roads. As part of ICBEMP , road densities were categorized as follows: very low, 0.02 - 0.1 mi/mi2; low, 0.1 - 0.7 mi/mi2; moderate, 0.7 - 1.7 mi/mi2; high, 1.7 - 4.7 mi/mi2; and extremely high, 4.7 + mi/mi2.[1] <#_ftn1> Using these road density categories, Lee et al. found that non-anadromous salmonids such as bull trout and westslope cutthroat are less likely to be found in watersheds with moderate to high road densities or are less likely to exist as strong populations compared to low or very low road densities.[2] <#_ftn2>

Letter 4: Idaho Conservation League

Comment: 4-2

Response: The BLM-managed lands within the project boundary contain numerous classified roads (which includes motorized trails) and is not considered to be unroaded. Please refer to Appendix A, Maps 15 and 18 and Table 3.8.5 of this EIS. All of the project area is considered to be a Wildland Urban Interface area, as depicted on Map 18 Appendix A, where the presence of human development is common. As stated in Section 3.8.4.2, "the proposed action does not enter or occur in the adjacent inventoried roadless areas."

Comment: 4-3
Response: The effects analysis is contained in Sections 3.6.3, 3.4.2.2

Appendix H of provides additional discussion regarding aquatic trend analysis and has been supplemented in this Final EIS in response to this and other comments. It is acknowledged that short term sediment impacts would occur from project implementation. However, long term benefits would occur from a reduction in chronic sediment sources and riparian/aquatic restoration efforts.

Also see response to comment 4-1 which states the correct miles of new proposed permanent road (0.56 to 1.13).

BLM lands often do not comprise a large majority of the watershed and mixed ownership patterns, BLM opportunities are often limited in many subwatersheds. Consequently, BLM opportunities to reduce road densities in many subwatersheds are very limited.

Development of the road and access alternatives are based on a combination of criteria as stated in Section 3.8.1.3. Table 3.8.1 illustrates miles of road by owner and Map 15 in Appendix A their location. The ability to decrease existing roads is extremely limited due to lack of ownership by the BLM, few roads occurring on BLM lands in several subwatersheds, and ingress and egress needs of adjacent owners.

The road densities noted by this comment are not the "result" of the Eastside project. These density classifications exist at present, and the Eastside project actually decreases the lower American river from a High to a Moderate using these criteria. See table 3.4.2 and 3.4.3

Letter 4: Idaho Conservation League

Furthermore, Lee et al suggest that 'There are no logical reasons to expect anadromous fishes to be immune to the effects of habitat change from roads evident in the non-anadromous species.'

At the subwatershed level, all action alternatives would result in moderate road densities in three subwatersheds and high road densities in four subwatersheds.[3] <#_ftn3> Based on ICBEMP research, which covers a wide, and therefore representative geographical sample, the condition of the subwatersheds in the American River drainage following implementation of this project will not be conducive to ideal salmonid habitat. Although there are roads associated with private property, which the BLM and the Forest Service can do nothing about, impacts on public lands in and adjacent to the township have also experienced excessive impacts from past activities in the American River Watershed.

The high level of temporary road construction and the resultant effects accompanying this project proposal are downplayed by the BLM with Design Measure #8, in which temporary roads would be decommissioned within 1 - 3 years following construction.[4] <#_ftn4> However, the most severe impacts of road construction on fisheries and watershed resources occur in the short-term. Given the existing impaired condition of the American River Watershed, both new and temporary road construction should be avoided as much as possible in order to accomplish the upward trend requirement in the American River Watershed. All stream fords should be removed through road decommissioning or bridge and culvert placement.

Sediment

It is unclear how the proposal meets direction from Addendum 1: BLM Fisheries/Water Quality Objectives by Prescription Watershed Supplement to Chief Joseph Management Framework Plan (1989). According to the Addendum, the number of years that sediment yield guidelines can be approached or equaled is limited to between 1-3 years. In some of the prescription watersheds, current conditions exceed sediment yield objectives, indicating that the BLM is not abiding by the Addendum, and therefore stands in violation of its own MFP. Therefore, without an amendment to the MFP, it is unclear how the proposed activities can proceed.

Further, for most of the prescription watersheds in the project area, elevated levels of sediment are one of, if not the, primary limiting factor to fisheries habitat and water quality. The BLM anticipates an upward trend as a result of modeled sediment additions, but has not shown an upward trend in the past. The models utilized do not account for all sediment entering the subwatersheds, and the BLM makes no attempt to estimate the % of sediment that is not modeled. As a result, the sediment and water quality judgments are speculative and the upward trend determination is presumptive. Instead, we encourage BLM to undertake restoration actions in advance of any new ground-disturbing activities (i.e. logging, road construction, etc.).

Letter 4: Idaho Conservation League

Comment: 4-4
Response: We concur that NEZSED should be used in conjunction with monitoring and professional judgment. The model limitations are presented in Appendix H, pages H-9 and H-10. As discussed on page 89, NEZSED has been tested using locally collected sediment yield data. Results of the individual tests varied, with predictions being over, under and close to observed values. The model has a general tendency to under-predict, but has been determined to be a reasonably realistic tool for alternative assessment (Gloss, 1995; Gerhardt, 2005).

Comment: 4-5
Response: Potential increases in sediment yield not covered by the NEZSED model, including sediment from increased traffic, are addressed in other ways. As stated on page 99, potential impacts from increased traffic "will be reduced through road maintenance where needed and contract provisions to minimize resource damage during wet periods." Please refer to Table 2.3.1 (pp27-32), for specific project design measures and their relative effectiveness. Applicable measures to address these concerns would include, but not be limited to, design measures # 7, 11, 12, 14, and 15.

Regarding the upward trend concern, Whittaker and Queen are meeting objectives and do not trigger the upward trend requirement – see Section 3.6.2.2 pages 147-148. The BLM is not proposing to conduct riparian restoration or designate new OHV trails in Whitaker, Queen, and Box Sing Creeks.

Letter 4: Idaho Conservation League

Inadequacy of the NEZSED Model

4-4 As part of the watershed analysis in the DEIS for the Eastside Township project, the BLM relied upon the NEZSED model. The NEZSED model has a general tendency to underestimate sediment yield[5] <#_ftn5> . Accordingly, the BLM should assume that sediment yields modeled by NEZSED are not adequate or conservative estimates. For the sake of sensitive, threatened, and endangered salmonids in the American and South Fork Clearwater Rivers, intense caution is warranted to avoid adverse effects to these species and trend toward an upward improvement in habitat conditions. Further the purpose of NEZSED is for alternative comparison, as opposed to positively determining sediment yield.

4-5 To compound the problems associated with the NEZSED model in general, the analysis for the Eastside Township DEIS did not model increases in sediment yield associated with: 1) traffic increases that will result from new and temporary road construction; 2) increased sediment yield associated with newly designated OHV trails; and 3) increased, short-term sediment yield associated with riparian restoration aspects of the project[6] <#_ftn6> . This is particularly concerning where logging and road construction is to take place in the Whitaker, Queen, and Box Sing Creeks where current % over natural sediment yield is at or near the thresholds established in the Management Plan Framework supplemental guidance.[7] <#_ftn7> Given the inadequacy of NEZSED, it is reasonable to assume that the 60% over natural threshold will be exceeded, also impairing the ability of the BLM to comply with the upward trend requirement.

4-6 Additionally, there is no assurance that the BLM will comply with the Clean Water Act (CWA), TMDLs, and state water quality standards based on insufficient models. The South Fork Clearwater River is listed pursuant to section 303(d) of the CWA for sediment and temperature for its entirety, the TMDL mandates a 25% reduction in human-caused sediment[8] <#_ftn8> . Since both the Red and American Rivers converge to form the South Fork Clearwater River, the cumulative effects of sediment yield in the American and Red Rivers occur in the South Fork Clearwater. Therefore the BLM and the Forest Service have an obligation to reduce sediment yields, which the analysis for the Eastside Township has not adequately demonstrated will occur as a result of implementing this project, much less to reduced existing levels by 25% to comply with the TMDL.

4-7 Furthermore, without a drastic reduction in the proposed new and temporary road construction, adjustments to the yarding methods and logging treatments, and without more aggressive restoration in the American River riparian areas, beneficial uses in the American River will continue to remain impaired. These include: cold water biota, salmonid spawning, primary contact recreation, domestic water supply, and special resource water.[9] <#_ftn9> While about 80% of the road decommissioning proposed in this project would occur in RHCAs[10] <#_ftn10> helping to reduce that source of sediment, remaining high levels of % over natural sediment, detrimental disturbance, and equivalent clearcut area will retard the ability of the BLM to demonstrate an upward trend in the American River watershed, absent more aggressive restoration efforts.

Letter 4: Idaho Conservation League

Comment: 4-6
Response: An implementation plan for the South Fork Clearwater River TMDLs was completed in 2006, and the BLM has been a cooperator in this process. No single project will be expected to achieve the entire TMDL sediment reduction goal. This project is predicted to result in a net decrease in sediment yield to the South Fork Clearwater River over time (refer to tables 3.4.7 and 3.4.8, and Figure 3.4.5).

The South Fork Clearwater River TMDL target reduction of 25% for sediment does not identify a specific time frame or mandate project specific reductions of such. Consequently, the Eastside Project would not be expected to achieve entire the TMDL sediment reduction. Achievement of TMDL objectives would be accomplished with a variety of management and restoration actions. The BLM is currently conducting and proposing other restoration actions that would also support achievement of TMDL targets for the South Fork Clearwater River.

Again, because BLM lands comprise only 13 percent of the American River watershed and 2 percent of the South Fork Clearwater River subbasin, BLM restoration opportunities are often limited in many subwatersheds

Comment: 4-7
Response: See response to comment 4-1 – Even with limited landownership in the American River watershed, BLM is conducting and pursuing active restoration measures. In addition to restoration actions identified in the Eastside Project, the BLM is currently undertaking and is proposing other restoration efforts to support upward trend. See Appendix H update Table H.6 in this Final EIS for additional information.

Letter 4: Idaho Conservation League

Equivalent Clearcut Area (ECA)

4-8 We are expecially concerned about the level of impacts in smaller watersheds, such as Box Sing, Whitaker, Queen Creeks. The proposed logging treatments in the Whitaker and Queens Creeks will result in levels of ECA exceeding 15%.[11] <#_ftn11> However, the BLM suggests that the 1995 Biological Opinion (Biop) for a number of Land and Resource Management Plans guiding the management of forests with anadromous fish habitat is irrelevant because these two streams do not contain listed or sensitive fish.[12] <#_ftn12> The BLM relies upon PACFISH to insure that logging in these watersheds will not adversely affect salmonids and water quality.

However, the 1995 Biop does not specify the HUC code at which the 15% ECA standard should be applied. Specifically the Biop states with regard to ECA:[13] <#_ftn13>

In many watersheds, peak flows appear to rise in a curvilinear fashion with increased timber harvest (Grant 1988), rather than failing to change until after a threshold of forest clearing has been reached. Hydrologic impacts may appear when less than 20% of a watershed is clearcut. For example, peak winter storm flows increased 13% after 19% of a coastal British Columbia watershed was clear-cut (Golding 1987). However, related effects such as sediment mobilization and channel modification may not be evident until a threshold has been reached (Grant 1988; Satterlund and Adams 1992). An ECA level of no more than 15% of a watershed in young age classes (defined as stands less than 30 years old by McCammon {1993}) should confer a low risk of hydrologic effects on streams based on the cumulative effects procedure developed by

McCammon (1993) and studies reviewed by Satterlund and Adams (1992). (emphasis added).

Exceeding the 15% ECA level in the Biop in any watershed will result in the potential for significant adverse effects in that watershed. High levels of ECA will change the timing, volume, and duration of peak flows. As a result, water temperatures in the watershed will be elevated since the peak flows will occur earlier rather than when summer temperatures begin to rise and will occur for a shorter duration of time. Increases in water temperature in tributaries of the American River will translate into increased water temperatures in the American River, further impairing the beneficial uses of both the tributaries and the American River.

4-9 Secondly, the increased velocity of the peak flows will increase the potential for changes in channel morphology. In watersheds exceeding the 15% ECA in the Biop as a result of this project, the BLM has not analyzed whether or not there will be any change in channel morphology or not.

Letter 4: Idaho Conservation League

Comment: 4-8
Response: We are also concerned about impacts to the smaller watersheds.

This EIS, pages 145-148, provides an overview of these three watersheds, including the fish species present. This EIS does not infer that ECA concerns are irrelevant or that these drainages do not have sensitive fish. For analysis of ECA refer to pages 176 – 178, and Appendix H, page H-8 – H-9.

In response to your comment, we have further clarified the water yield analyses procedures in Appendix H, page H-9.

Comment: 4-9
Response: Channel morphology has been assessed in those watersheds where ECA is predicted to exceed 15% as described on page 176-178. See response to comment 4-8.

Comment: 4-10
Response: This EIS identifies that the greatest potential to exceed temperature guidance attributed to BLM management actions would be associated with potential impacts to riparian habitats and shading (see pages 103 – 105, 137 – 138, 174 -177). Refer to Appendix H, pages H-8 – H-9, for additional discussion in regards to ECA. This project's restoration efforts and no timber harvest in RHCAs support the South Fork Clearwater River temperature TMDL guidance.

Comment: 4-11
Response: See response to comments 4-8 (ECA) and 4-10 (temperature) and Table 0.2 (page ix), summary assessment of water yield, and pages 96-102 for sediment analysis and trend information.