

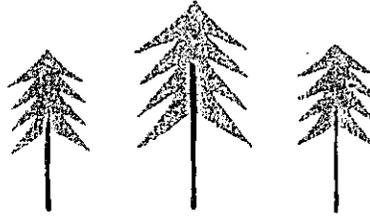
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RECEIVED

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MEDFORD DISTRICT OFFICE  
BUREAU OF LAND MANAGEMENT

Dayne Barron, District Manager  
BLM, Medford District  
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## RE: PILOT THOMPSON ENVIRONMENTAL ASSESSMENT, COMMENTS DUE APRIL 26, 2013

Dear Mr. Barron

In response to the Pilot Thompson scoping notices the Association of O&C Counties previously reviewed this project and submitted comments on Oct. 29, 2011 and April 30, 2012 to your office. Please reference these letters as they have a direct relationship to our comments on the Pilot Thompson draft environmental assessment.

### GENERAL PROJECT COMMENTS:

The Pilot Thompson project is designed to demonstrate the application of principles of restoration and forest management developed by Drs. Franklin and Johnson. The primary focus for this project is the overarching goal of ecosystem restoration at the stand and landscape scale, rather than individual goals such as fuel and wildfire abatement, timber production, or wildlife habitat. This proposed project, however, as described in the EA's Purpose and Need statement and the analysis of alternatives will not meet the mandated statutory requirements of the O&C Act of 1937 for managing O&C lands. The O&C lands have one dominant use, which is the production of timber on a sustained yield basis for the purpose of providing revenue for O&C Counties. The purpose of the O&C Act is reflected in the statutory language, which provides that the timberlands

"\* \* \* shall be managed \* \* \* for permanent forest production, and the timber thereon shall be sold, cut and removed in conformity with the principal [sic] 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 USC §1181a.

Additional secondary expected outcomes of sustained yield timber management are protecting watersheds; providing for the conservation of wildlife and providing recreation facilities. These secondary outcomes cannot be achieved at the expense of timber production and "balancing" is neither required nor permitted. Restoration of forests can be achieved from utilizing forest practices associated with sustained yield timber production as required by the O&C Act.

This project also does not meet the FLPMA statutory requirements for the management of O&C lands. Section 701(b) FLPMA states that "Notwithstanding any provision of this Act, in the event of conflict with or inconsistency between this Act and the Acts of August 28, 1937 and May 24, 1939, insofar as they relate to timber resources and disposition of revenues from lands and resources, the latter acts will prevail." The O&C Act, therefore, is the statutory authority for BLM to manage the O&C lands in the Pilot Thompson planning area. Management actions or activities cannot be authorized based on the multiple use objectives of FLPMA and BLM policies; the National Forest Management Act, or other laws on O&C lands that will prevent or limit the BLM from carrying out its statutory responsibilities associated with timber management.

**ENVIRONMENTAL ASSESSMENT COMMENTS:**

The proposed action alternatives analyzed in the EA are not about permanent timber production that will be sold, cut and removed based on sustained yield principles as defined by the O&C Act, but more about excluding O&C lands from commercial timber harvest because of other land use objectives and values. Restrictions imposed by the standards and guides of the Northwest Forest Plan and the Northern Spotted Owl recovery plan are also inconsistent with the objectives of the O&C Act.

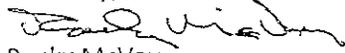
Drs. Franklin and Johnson's ecological principles for restoration of dry forests fail to meet the forest management requirements of the O&C Act. For example, creating Late-Successional Emphasis Areas to provide for mature and late successional old growth habitat without also identifying future silvicultural treatments is inconsistent with the sustained yield requirements of the O&C Act. Retaining all trees 150 years old and older and eliminating the trees from future harvest is also inconsistent with the O&C Act.

The draft environmental assessment provides no analysis as to how this project will affect both short and long term social economic conditions in the community. It also contains no documentation about how this project, if implemented, complies with the O&C County sustainable revenue provisions of the O&C Act. BLM needs to revisit the EA and include a social economic analysis.

The draft EA is incomplete and does not meet the requirements of NEPA. The EA needs to be revised to include an alternative that analyzes a management scenario that meets all the mandates of the O&C Act. For example, design an action alternative utilizing uneven-age silvicultural timber management practices that allows for timber to be cut and sold on a sustained yield basis, but also allows for secondary benefits for wildlife, water quality and other uses that are not in conflict with the dominant use of the O&C lands for permanent forest production. In addition, there needs to be a comparative analysis of all alternatives to understand the effects of each. The final EA needs to demonstrate how these O&C lands can be best managed to achieve continuous timber production that can be sustained through a balance of growth and harvest as required by the O&C Act.

If you have any questions, please contact me at 541-412-1624, [rocky@blupac.com](mailto:rocky@blupac.com) or Van Manning at 253-549-0074, [vanbonmanning@comcast.net](mailto:vanbonmanning@comcast.net)

Sincerely,



Rocky McVay

Executive Director

Association of O&C Counties