"Pepper Trail"
<ptrail@ashlandnet.net>
01/09/2008 07:52 PM

To orwopr@or.blm.gov
cc
bcc
Subject WOPR comments on behalf of Oregon Audubon groups

Dear BLM:

The attached Word file contains comments on the WOPR DEIS, submitted on behalf of well over 10,000 members of Audubon in Oregon. The following groups have signed on to these comments: Rogue Valley Audubon Society, Cape Arago Audubon Society, Audubon Society of Corvallis, Klamath Basin Audubon Society, Lane County Audubon Society, Audubon Society of Portland, Salem Audubon Society, and Umpqua Audubon Society, as well as the National Audubon Society. Complete contact information for each signatory group is included in the comments.

As stated in the comments, all three "action alternatives" proposed in the WOPR DEIS would be an ecological disaster for Oregon. They would all drastically increase fire risk and severity, threaten the survival of the Northern Spotted Owl and other endangered species, create massive habitat fragmentation, and severely degrade riparian zones and streams. We support the science-based, ecological management approach of the Northwest Forest Plan (WOPR's "No Action Alternative"), and reject the contention that this is incompatible with the O&C Act.

Thank you for your attention to these comments.

Respectfully submitted,

Pepper W. Trail, Ph.D.
Conservation Chair, Rogue Valley Audubon Society
2011 Crestview Drive
Ashland, OR 97520

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ROGUE VALLEY AUDUBON SOCIETY

a southern oregon chapter of national audubon society

January 9, 2008

Bureau of Land Management
Western Oregon Plan Revisions Office
333 SW 1st. Avenue
Portland, OR 97204
-- submitted via email to: orwopr@or.blm.gov

Dear BLM:

Enclosed please find comments on the Western Oregon Plan Revisions Draft Environmental Impact Statement (WOPR DEIS). These comments are submitted on behalf of the following Audubon chapters in Oregon: Rogue Valley Audubon Society, Cape Arago Audubon Society, Corvallis Audubon Society, Klamath Basin Audubon Society, Lane County Audubon Society, Audubon Society of Portland, Salem Audubon Society, and Umpqua Audubon Society, as well as the National Audubon Society. Complete addresses and chapter contacts for each group are given at the beginning of the comments. Together, these Audubon groups represent well over 10,000 Oregon citizens, many of whom are regular users of BLM's Western Oregon forests for hiking, camping, bird-watching, and other outdoor activities.

As detailed in our comments, we believe that the WOPR represents an unconscionable retreat from sound, scientifically-based principles of public land management; a retreat that is without legal basis or justification. If adopted, any of the WOPR action alternatives would be devastating to the ecological health of Oregon's forests. In particular, we note the drastically increased fire risk that would be created by the plan, as shown by BLM's own analyses. In addition, we believe that all of the WOPR action alternatives violate BLM's legal obligations under the Endangered Species Act, by placing the Northern Spotted Owl in serious jeopardy of extinction.

It is our recommendation that the entire WOPR process be abandoned. None of the action alternatives would live up to BLM's legal and professional obligations as stewards of our public lands. In contrast, the No Action Alternative – management based on the Northwest Forest Plan – represents a comprehensive, science-based ecosystem management program. It should be retained as the foundation for management of BLM's Western Oregon forestlands.

Thank you for your consideration of these comments. We look forward to your response.

Respectfully submitted,

Pepper W. Trail, Ph.D.
Conservation Chair
Rogue Valley Audubon Society
2011 Crestview Drive
Ashland, OR 97520

Cc: Senator Ron Wyden
Senator Gordon Smith
Representative Greg Walden
Representative Peter DeFazio
Representative Earl Blumenhauer
Representative Darlene Hooley
Representative David Wu

Comments on the Draft Environmental Impact Statement of the Western Oregon Plan Revisions (WOPR)

Prepared by Pepper Trail, Ph.D.
Conservation Chair, Rogue Valley Audubon Society

January 9, 2008

These comments are submitted on behalf of the groups listed below. Please keep all named individuals and groups informed of BLM WOPR planning developments.

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Contact: Betsy Loyless, Vice President for Policy

Summary: All three "action alternatives" proposed under BLM's Western Oregon Plan Revisions would be an ecological disaster for Oregon. They would drastically increase fire risk and severity, threaten the survival of the Northern Spotted Owl and other endangered species, create massive habitat fragmentation, and severely degrade riparian zones and streams. We support the science-based, ecological management approach of the Northwest Forest Plan (the WOPR's "No Action Alternative"), and reject the contention that this is incompatible with the O&C Act.

Legal Background: The WOPR came from a settlement agreement between the Bush Administration and the timber industry group American Forests Resources Council (AFRC), which had alleged that "the [1937] O&C Act had not been appropriately considered in applying the Northwest Forest Plan's management direction" to BLM lands in Western Oregon (Appendix A, p.929). Under the agreement, the Bureau of Land Management asserted that timber production was the "dominant" use of the Western Oregon O&C lands (WOPR Vol. I, p.12), and agreed to consider a management "alternative that would not create any reserves on the O&C lands" (Appendix A, p.929). This legal interpretation by the Bush administration and the BLM is highly questionable, and relies excessively on *Headwaters, Inc vs BLM* (9th Circuit, 1990), while giving insufficient weight to the 9th Circuit's subsequent ruling in *Portland Audubon Society vs. Babbitt* (1993). It is our belief that the Northwest Forest Plan is not inconsistent with the O&C Act. This position is in line with the dismissal of the *AFRC vs. Clark* lawsuit by the D.C. District Court. Despite that dismissal, the Bush Administration chose to enter into a settlement that was highly favorable to the American Forest Resources Council's position, and initiated the WOPR process. We consider the stated "purpose and need" for the WOPR plan to be insufficient justification for invalidating the Northwest Forest Plan and developing management alternatives that, despite BLM assertions to the contrary, are contradictory to the Endangered Species Act, the National Environmental Policy Act, and scientific principles of sustainable forest management.

Logging: All three "action alternatives" under the WOPR would abolish the system of Late Successional Reserves (LSRs) that was carefully designed in the Northwest Forest Plan to assure the survival of the threatened Northern Spotted Owl and other old-growth dependent species. Alternatives 1 and 2 create new land use allocations that would replace the existing allocations on BLM forests. The new allocations are: Timber Management Areas (TMAs) which emphasize timber production, Riparian Management Areas (RMAs) and Late Successional Management Areas (LSMAs). Alternative 3 would create a large General Landscape Area, which would "provide continuous timber production" to "approximate natural stand-replacing disturbances." The rotation age is estimated to be 360 years north of Grants Pass and 240 years south of Grants Pass. However, in practice clearcutting could occur as soon as "50% of an area is older than the threshold stand age of 90 years north of Grants Pass and 140 years south of Grants Pass," and commercial thinning could occur even before that (p. XLVII).

To see how much BLM's preferred alternative, Alternative 2, would change the landscape of Jackson County, compare Maps 5 and 7 in the WOPR map packet. Map 5 shows the present (No Action Alternative) land use allocations in the Medford District, with a large Late Successional Reserve in Jackson Country along the Rogue-Umpqua divide, another further west just across the border of Douglas County, the large Applegate Adaptive Management Area , and extensive riparian reserves. In contrast, Map 7 (the Alternative 2 land use allocations) shows BLM land in Jackson County almost entirely shaded the brown of Timber Management Areas, which has replaced the LSRs in the Rogue-Umpqua area, the entire Applegate AMA, and most of the extensive riparian reserves. This uniform logging-intensive prescription fails to reflect the ecological variety of BLM lands in Jackson County, to preserve high-quality wildlife habitat, and to protect sensitive watersheds. When a single management scheme is applied across a diverse landscape, it is obvious that land managers are not following scientifically defensible principles of stewardship.

Alternative 2, BLM's preferred alternative, proposes to intensively manage mature and old growth forests for conversion into tree plantations (Fig. 178, p. 572) and identifies clearcutting without green tree retention as the preferred logging method (Fig. 187, p. 578). Under Alternative 2, clearcut logging would generate 89% of the volume while thinning would generate 11% (Table 153, p. 536). In comparison, the No Action Alternative (i.e., continuation of the Northwest Forest Plan) would generate 65% of its volume from clearcutting and 35% from thinning – a far more balanced approach that would provide great benefits in terms of reduction of fire risk and enhancement of ecosystem health.

The ecological values of old-growth forests were exhaustively documented in the Northwest Forest Plan reports (e.g. FEMAT 1993 and the Record of Decision 1994) and in many studies since. Moreover, clearcutting has been conclusively proven to increase fire risk, to threaten sensitive populations of wildlife and anadramous fish, to increase erosion and to drastically reduce water quality. It is unacceptable for BLM to turn its back on this established science and propose management alternatives that will degrade the ecological health of the public lands under its care.

Riparian Reserves: Some of the most drastic and ecologically damaging impacts of the WOPR action alternatives would be to riparian reserves. "The No Action Alternative would have almost twice the acreage in riparian management areas as Alternative 1, four times the acreage as Alternative 2, and more than three times the acreage as Alternative 3" (p. LX). According to BLM analysis, "The habitat needs of aquatic- and riparian-associated species along intermittent streams…would be met under the No Action Alternative and Alternative 1, but would not be met under Alternatives 2 and 3" (p. LVII). Alternative 2 would divide streams into "intermittent" and "perennial" streams. All mercantible timber could be logged along intermittent streams without a "high risk of debris flow," leaving a "25 foot area with noncommercial vegetation on each side of the stream and 12 conifer trees per acre." Such drastic logging in sensitive headwaters areas is likely to cause severe ecological and hydrological damage.

Habitat Fragmentation: Habitat fragmentation has proven to a critical variable in ecological health: in general, the greater the fragmentation, the less functional are ecological linkages and the more imperiled are area-sensitive plant and animal populations. The WOPR devotes little attention to this crucial issue, but it is clear that the action alternatives would greatly increase habitat fragmentation. For example, Alternative 2 calls for the construction of over 1,000 miles of new roads (p. 585). As usual, continuation of present management would be better than any of the proposed alternatives: "More than any other alternative, the No Action Alternative would increase the size and connectivity of mature and structurally complex forest patches compared to the current condition… The No Action Alternative is the only alternative that would increase the size and connectivity of the mature and structurally complex forest patches in the Western Cascades and Klamath Provinces" (p. 498). Under the No Action Alternative, only 14% of existing old growth would be logged over the next 100 years. For the action alternatives, that figure would be 25% for Alternative 1, 43% for Alternative 2, and 63% for Alternative 3 (Table 151, p. 509).

Under the Northwest Forest Plan, much habitat connectivity was provided by riparian reserves. Under all the action alternatives in the WOPR, this riparian connectivity would be severely limited, as is clear from an examination of Figs. 253 and 255 (pp. 728 and 731).

BLM must do a thorough, explicit analysis of the effects of the action alternatives on habitat fragmentation, especially impacts on threatened species such as Northern Spotted Owls and coho salmon.

Preservation of the Northern Spotted Owl: Much of the analysis in the WOPR, particularly with regards to Alternative 2, is predicated on the recent Fish and Wildlife Service draft recovery plan for the Northern Spotted Owl. This draft recovery plan has been the subject of scathing criticism, including from an independent peer review conducted by experts from the American Ornithologists' Union and the Society for Conservation Biology. It is entirely unacceptable for BLM to make management decisions based on this incomplete, unapproved, and deeply flawed plan. The population models used in the WOPR lack credibility – but even using these optimistic models, the preferred alternative (Alternative 2) is expected to produce no increase in Northern Spotted Owl habitat over the next century (Fig. 216, p. 635). It was, of course, the critical lack of such habitat that led to the adoption of the Northwest Forest Plan as a way to save

the Spotted Owl from extinction. Both Alternatives 1 and 2 would eliminate all protection for known and historic owl activity centers in the Timber Management Areas (Table 1, p. XLIX).

These TMAs account for 37% of BLM's Western Oregon forest under Alternative 1 (p. 75), and 48% under Alternative 2 (p. 89). If any of the WOPR action alternatives are adopted, the continued survival of the Northern Spotted Owl is in grave doubt. The WOPR thus fails to meet BLM's legal obligations, which are stated clearly under "purpose and need": "In accord with the Endangered Species Act, the [WOPR] plans will use the BLM's authorities for managing the lands it administers in the planning area to conserve habitat needed from these lands for the survival and recovery of species listed as threatened or endangered under the Endangered Species Act" (p. XLIV).

Other Wildlife and Plants: The WOPR DEIS acknowledges over and over that the action alternatives would be worse for a wide array of wildlife species and rare plants than would the No Action Alternative. For example:

- "The habitat needs of forest-floor associated species that are highly endemic to one or several locations would be at risk of decline in abundance and distribution under the three action alternatives" (p. LVII).
- "Under the three action alternatives, some populations [of special status plants] on O&C lands would be lost and the risk of local extirpation or extinction to bureau sensitive species and bureau assessment species would increase compared to the No Action Alternative" (p. LVI).
- "Alternative 2 would have the greatest risk [of invasive plant] introduction based on levels of harvesting and associated roads" while the "No Action Alternative would have the lowest risk of invasive plant introduction" (p. LVII).
- Due to lack of snag and green tree retention, "Under Alternatives 1 and 2, the stand establishment and young forest structural stage classifications created as a result of regeneration harvest would have little or no value for landbirds species which require residual trees or snags" (p. 707).
- For Marbled Murrelets, "Under Alternative 2 and 3 in Coast Range and Klamath provinces, a decline in habitat conditions would be expected given decreased patch size, decreased core area, increasing edge density, and decreases in nesting habitat over the next 50 years" (p. 682).

While it is commendable that BLM is forthright in acknowledging the damage their action alternatives will do, their responsibility does not amount simply to full disclosure. Their responsibility is to manage public land in an ecologically responsible and sustainable way – and that, by their own admission, the WOPR would not do.

Climate Change: There is general scientific consensus that global climate change will be a dominant ecological force in the coming century. And yet, despite filling the WOPR report with dozens of graphs and models that confidently extend out to the year 2106, BLM deliberately ignored this compelling problem: "The analysis assumes no change in climate conditions, because the specific nature of regional climate change over the next decade remains speculative" (p. 491). It is easy to sympathize with BLM's dilemma: it is quite true that no one can now be

certain exactly what the magnitude and nature of climate change in Oregon will be. However, the appropriate response to this uncertainty is not to ignore it (while pretending an ability to model out 100 years without taking climate change into account). The appropriate response is to allow for the increased uncertainty that climate change implies, and manage in a cautious, conservative way. In other words, allow the lands you manage some additional ecological leeway – leeway that will almost certainly be needed in a drastically changing world. This means more riparian reserves, not less; more unharvested old-growth, more effort to minimize fire hazard (which global warming will exacerbate), more allowance for wildlife population fluctuations. In short, it means throwing out Action Alternatives 1, 2, and 3, none of which allow for the increased ecological uncertainly which our forest will undoubtedly face in the coming decades.

The WOPR also completely fails to acknowledge, much less evaluate, the contribution that old-growth forests make to regulating the climate and acting as carbon sinks. These benefits will become increasingly vital in a changing world.

Fire: It's hard to believe that the Bureau of Land Management would propose to drastically and permanently increase the risk of wildfire on their lands in southern Oregon. And yet, that is exactly what the WOPR would do.

The facts are detailed in the section "Fire Severity, Hazard, and Resiliency in the South" buried in BLM's WOPR DEIS (Vol. II, pp. 769-772). This compares three "action alternatives" in comparison with continuation of the present management plan (the "No Action Alternative"). So which alternative would provide us with the best fire future?

BLM's own analyses show that a continuation of present management would be best: "The No Action Alternative would result in the most decrease [in fire hazard and severity], reducing the acres of high severity fire when wildfires occur and fire hazard to less than half of the current condition in 100 years" (p. 769). What about BLM's "preferred alternative," Alternative 2? This is the very worst in terms of fire. In the Medford District alone, Alternative 2 would result in approximately 200,000 more acres in the "high fire severity" category than would continuation of present management (Figure 273, p. 769).

But the bad news doesn't end there. There is also the issue of "fire resiliency" the ability of a forest to survive a wildfire. Once again, BLM's preferred alternative offers us the worst fire future: "Alternative 2 would have the greatest reduction in fire resiliency by creating the largest number of acres of forest without such green tree structural legacies combined with high crown fire hazard" (p. 772). "Green tree structural legacies" is BLM's term for living trees left standing after logging operations. Alternative 2 would accomplish almost all its logging by clearcutting (or "regeneration harvests", in the BLM's preferred jargon), and thus would produce even-aged plantations without any standing large trees. The forests that Alternative 2 would create are the worst in every fire category: high fire severity, high fire hazard, and low fire resiliency (Table 214, p. 767). BLM's preferred alternative would leave us with less than a third of the fire-resilient forests in the Medford District than we'd have if we kept our current management (Figure 274). That's well over half a million more acres without the ability to survive wildfire.

The great majority of BLM's western Oregon forests are in checkerboard ownership intermingled with private property, including increasing numbers of homes. It would be completely irresponsible for BLM to adopt its WOPR preferred alternative. To do so would expose the residents of southern Oregon to drastically increased fire risk over the coming decades. This ill-conceived plan would also risk great reduction in anticipated timber revenues and great increase in ecological damage due to widespread wildfires. BLM must develop an alternative that adequately takes into account the high fire risk of southern Oregon, and actively manages its lands to reduce, not increase, that risk. BLM also needs to conduct a realistic analysis of the effect of likely increased fire under its preferred alternative on timber supply. If Alternative 2 results in as much additional fire as it threatens to, there may be little unburned timber left to cut.

OHVs: Finally, it must be noted that the WOPR section on recreation (pp. 775-783) is completely unbalanced, and is tailored almost exclusively to the expansion of OHV opportunities. The WOPR proposes 10 new Off-Highway Vehicle areas for the Medford District BLM, which, combined with the three existing OHV areas, would total over 100,000 acres. One of those areas, John's Peak, is so contentious that over 1,600 local residents have petitioned BLM not to designate it for OHV use. In the words of BLM, Alternative 2 "would result in a four-fold increase in acres of off-highway vehicle emphasis areas as compared to the No Action Alternative…Alternative 2 would result in a loss of nonmotorized recreational opportunities in the Medford District due to the larger proportion of land that would be designated specifically for motorized recreation use (12% of the district's total land base)" (p. 778).

The negative ecological impacts of OHV use are well-documented, and include increased erosion, habitat fragmentation, air and water pollution, disturbance of wildlife, and greatly increased fire ignition risk. The OHV constituency is a small minority of the users of BLM lands, as compared to hunters, fishermen, hikers, and campers. And despite the responsible behavior of many OHV users, it is also a constituency that is responsible for a disproportionate amount of damage to the landscape. There is nothing in the WOPR "purpose and need," as outlined by BLM, that justifies the proposed expansion, and certainly the WOPR does not provide sufficient analysis of the ecological impacts to allow responsible evaluation of even one of the proposed new OHV areas. The focus on providing hugely expanded opportunities for OHV use in the WOPR is completely inappropriate, and these proposals should be withdrawn.