

## ADDENDUM 1

### PUBLIC COMMENTS TO ENVIRONMENTAL ASSESSMENT AND BUREAU OF LAND MANAGEMENT RESPONSE

Plentywater Creek Project  
Environmental Assessment Number OR-086-01-01  
2 July 2002

On February 12, 2002, a pre-decision letter, along with a copy of the EA (Environmental Assessment Number OR-086-01-01), was mailed to 22 interested individuals, groups, and agencies (Project Record documents 151). Additionally, legal notices for public comment appeared in the Headlight Herald on February 13, 2002 (Project Record document 147) and the Hillsboro Argus on February 14, 2002 (Project Record document 150), newspapers respectively of Tillamook and Hillsboro, Oregon. The end of the comment period was 4:00 P.M., March 18, 2002.

As a result of the notice for public comment, 7 letters were received (Project Record documents 146, 152, 153, 158, 159, 160, 162). The Bureau's response to these public comments are contained in this document. All comments presented are direct quotes, in Italics, from said letters.

**Also, due to an unforeseen complication with BLM fund coding, we were required to rename the expected timber sale projects. The "Jack Pumpkin" sale group will be renamed "Plentywater" and the "Suficiente Agua" sale group will be renamed "Plenty Agua." We apologize for any confusion that this name change may cause.**

#### **COMMENT RECEIVED FROM ROBERT FRERES, JR.. VICE PRESIDENT FRERES LUMBER COMPANY (Project Record document 38)**

*Comment a: "Freres Lumber Co. Inc. endorses the BLM Plentywater Project Finding of No Significant Impact. We request the Sale be Offered as a Small Business Set Aside Sale."*

**BLM Response:** The Plentywater Timber Sale will be given consideration to be offered as a Small Business Set Aside sale.

**COMMENT RECEIVED FROM MICHAEL R. JAMISON** (Project Record document 152)

Comment a: *“My first concern is with the ‘Fish Habitat Enhancement Project’, as outlined on Page 12. Approximately 40 pieces of 40 ft. long large logs (LWD) are proposed to be placed [sic] in the stream. Yet, I see nothing indicating that these logs would be sufficiently ‘anchored’ to prevent them from moving downstream in a high water event similar to the 1996 flood. As I own most of the land for the ½ mile downstream from this project, I am concerned that some of these logs may eventually end up on my land. While I respect the 100 foot buffer currently required by the Oregon Department of Forestry, I do not want these logs obstructing stream flow on my land so that the stream width (and associated buffer) may widen. Thus, the logs placed in the BLM Fish Habitat enhancement area need to be anchored sufficiently, so that they remain on BLM land, and so that they do not move downstream, or to any location that would cause encroachment of the stream toward the County road.”*

**BLM Response:** The logs to be placed in the stream channel would be placed in strategic locations such that they should collect additional material and provide long term habitat improvement in this portion of Dairy Creek. Placement of log structures will follow both ODFW (Oregon Department of Fish and Wildlife), NMFS (National Marine Fisheries Service), DSL (Division of State Lands) and ACOE (Army Corps. of Engineers) guidelines. In general these pieces of large wood would be 1.5 to 2.0 times the active channel width providing long term stability. While anchoring through the use of cable or rebar pins is often used it may not be used if there is sufficient catch points in or near the channel. While there is no guarantee that logs would not move downstream from this segment especially during a major flood event (1996 was at or near the 100 year event level) our experience with similar structures in the Nestucca River has seen them weather two such events. If there are questions about certain structures, they are pinned together increasing their mass and likelihood of both maintenance on site or “sticking” just down stream of the spot they are placed.

Comment b: *“Second, In the ‘Campground Restoration’ project, (also beginning on Page 12), decompaction of the old campground is proposed to accomplished with a “toothed bucket equipped excavator”. As I have lived on and owned adjacent and similar land for more than 30 years, I have some experience with the soil, and underlying material in this area. There is a layer of organic material on the surface from just a few inches deep, to over one foot in depth. Beneath this layer (and sometimes mixed with it) are substantial amounts of rocks and silt, deposited over the millenniums by the stream. This silt is generally comprised of eroded sandstone, and is not very fertile. Decompaction as proposed would bring many of these rocks and much of this silt to the surface. It is my opinion, that decompaction could be accomplished in a much more environmentally friendly way by using an excavator equipped with a large single tooth, similar to a sub-soiler (as used in Agriculture). This tooth could be pulled through the ground, accomplishing the decompaction, and at the same time leaving the soil layers relatively intact.”*

**BLM Response:** Thank you for this suggestion. We will consider this type of equipment further prior to contracting the work.

Comment c: *“Third, there is a basalt rock formation just east of Dairy Creek, on the east-west centerline of Section 21. Part of this formation is on BLM land, and part of it is on my land. On the northern part of the formation, (and one other in this area – on land owned by Longview Fibre Co.) there is a very unique vegetation. This can only be observed for an approximately 2 week period in the late Spring (usually April or May). Many types of plants and flowers emerge for a short time, then disappear for another year. I am concerned that these plants have not been observed by your trained specialists. As these plants grow in the moss on this basalt formation that is near the property boundary, I am quite comfortable that your timber harvest activities will not disturb these plants. Yet, I think it is important that you be aware of their existence. I am not a botanist, so I cannot help you further identify the specific plants --- but I have observed at least 8 different types of small wildflowers growing in the moss on this formation (including on type of fawn lily, which unfortunately was in the area where my rock quarry now exists). I would be happy to contact your office when this ‘time of flowering’ occurs, as it is only of a short duration, and varies from year to year.”*

**BLM Response:** Thank you for reviewing the Plentywater Creek Project Environmental Assessment and providing us with this information. The proposed action for section 21 (T.3N., R. 3W., W.M.) will not impact the rock formation mentioned. We appreciate your interest to help identify potential locations of threatened or sensitive plant species and would like to have the opportunity to observe these plants when they are in a flowering stage. Please contact our plant specialist Kurt Heckerth at 503-815-1132 to discuss a meeting date.

Comment d: *“Finally, I have a small triangular parcel of land, in the NW ¼ of the SW ¼ of Section 21, that abuts the BLM project area (see attached map). If and when the timber harvest activity occurs on the adjacent BLM land to the east of this parcel, I would like the opportunity to have harvest activity done on my land at the same time. Logging my land with a cable system, from the BLM land to the east, would make both economic and environmental sense. As the overall objective here is to minimize adverse environmental impacts on the land and streams, I think cooperation in this area would help us both meet that overall objective in a better way,”*

**BLM Response:** The BLM is not proposing timber harvest on the steep and potentially unstable slope adjacent to your parcel in Section 21 because of soil erosion, water quality, and fish habitat concerns. Yarding logs from your land, through BLM land, and up to the new road to be constructed on BLM land in the NE ¼ of the SE ¼ of Section 21 is possible, but it would require the completion of several steps. You would need to enter into a right-of-way agreement with the BLM that would allow you to use the BLM road and yard across BLM land. We would have to ensure that this action would comply with the Endangered Species Act and National Environmental Policy Act. These steps can take up to several months to complete, so you would need to initiate the process as early as possible following the award of the timber sale.

**COMMENTS RECEIVED FROM WILLIAM AND JULIA PETERSON** (Project Record document number 153)

Comment a: *“First, while we thank you for providing us with the material, you should know that as lay persons the text was difficult to read. It was not only lengthy and technical, but full of jargon that is foreign to us as well. The cross- referencing was also very confusing. While our intention is to give feedback that you may find useful, the quality of our response is somewhat diluted because we didn’t fully understand what we read. Still, here are some questions and comments we have regarding those portions of the project that seem to affect us.”*

**BLM Response:** Thank you for your participation in the management of your public lands. We find it regrettable that you found the Plentywater EA to be difficult to understand and confusing. It is our goal to make our documents as user friendly as possible. Unfortunately, due to the complexity and technical nature of these documents, it is a necessity to utilize some technical terminology and cross referencing in their preparation. For this reason a Glossary (EA Chapter 6.0) was included in an attempt to help lay persons better understand the terminology used in the EA. If you have suggestions of how to improve the glossary or the format of the EA, please forward them to us.

Comment b: *“We couldn’t find reference to Mason Hill Road and are concerned about wear and tear caused by weight of the trucks if Mason Hill Road is used. EA 3.6.2.2.1 (page 71) reads... ‘approximately 195 log loads would be hauled along Solberger Road, **provided that the timber purchaser hauls the entire harvested volume north.**’ The timber purchaser has a choice of routes? If so, what will the impacts be if Mason Hill Road is used?”*

**BLM Response:** Once timber haul reaches county roads the purchaser can go in any direction they choose. Their direction would depend upon the final destination for the logs they are hauling. Mason Hill road is a surfaced road with a load bearing capacity exceeding that of a loaded log truck. Therefore, we believe it is unlikely that any damage would occur to Mason Hill road resulting from hauling timber from the “Plentywater” timber sale. However, if damage were to occur, it would be the responsibility of Washington County Road Department to repair and maintain. In the event that damage does occur you can contact the Washington County Road Department at 503-846-7623. As we have explained to you previously the roads in your area are Washington County owned and maintained facilities, BLM is restricted by the Comptroller General from expending appropriated funds on their maintenance and repair. The analysis of hauling logs on Solberger road was conducted to assess the maximum potential impacts of dust generation on air quality.

Comment c: *“Appendix 1, (page 22) defines the number of trees per acre that will be left standing after harvest. Is the location of these trees determined prior to logging or determined during the logging process? What factors are considered that would cause a tree to be harvested or to remain untouched?”*

**BLM Response:** Trees designated for retention are chosen while the harvest unit is being prepared for sale, prior to logging activity. Many factors are considered in choosing retention

trees including, but not limited to, wildlife habitat suitability, windthrow hazard and proximity to developments.

Comment d: *“After reforestation, what is the process for monitoring the results? How often is and for how long (in years) is monitoring done to ensure the results are what you expect?”*

**BLM Response:** Trees are typically planted within one year following harvest and site preparation. The new plantation would be periodically monitored and cultural treatments (brush control, precommercial thinning etc.) would be applied until the trees are able to grow freely until such time that a subsequent commercial treatment would be applied. Typically these cultural activities would span a time period ranging from 15 to 20 years.

Comment e: *“You have told us BLM is not responsible for road maintenance and that “any damage to the roads resulting from log hauling activity would be the responsibility of Washington County (EA page 72). Still it is possible that logging traffic will cause wear and tear to the county roads. Has Washington County been informed of the proposed project? What is their response? Do they have contingency plans that cover projects such as yours? Our concern is that there is a plan to repair the roads if necessary. Despite the fact that you do not have funds for road repair, we feel it is your responsibility to coordinate a contingency plan with the county and include the outline of those plans in your document.”*

**BLM Response:** It is not the responsibility of the BLM to coordinate road maintenance of Washington County Roads. Washington County is an independent road agency similar to the Oregon State Highway Department. They are responsible for all maintenance and repairs of county roads. They also determine road usage (i.e. load limits, seasonal restrictions, maintenance schedule) for each of the county roads. If you have any questions as to how Washington County maintains, repairs, or other wise services roads within Washington County you can call the Washington County Road Department at 503-846-7623.

Comment f: *“Appendix 1, page 22 refers to a “50 – 75 foot no cut buffer along both sides of Solberger Road. To make sure we understand, does this mean that there will be no disturbance, of any kind, to the existing forest within 50 feet Solberger Road as it passes through Unit 21-2?”*

**BLM Response:** While the Silvicultural prescription (Appendix 1) refers to a “no cut” buffer, the design features for the project are specified on page 13 of the EA. The specific feature you note is properly called a “Visual Buffer” as specified in the project design features. Timber will not be harvested from this visual buffer, however, for fire protection there may be some brush treatment or slash pull back adjacent to the harvest area required. Generally, the visual buffer will remain undisturbed, except where it will be required to construct natural surface temporary spur roads to provide equipment access behind it. Following completion of harvest activity the existing road would be water barred and blocked and temporary roads would be obliterated, planted and blocked to prevent unauthorized vehicular usage.

Comment g: *“Have treatments to eradicate Scotch Broom and English Ivy Already begun? (Preliminary Finding of No Significant Impact, page 7) the E.I.P.S indicates one year prior to harvest to begin treatment.”*

**BLM Response:** Scotch Broom and English Ivy treatments have not begun in the project area, no final decision has yet been rendered for the project. Also, we would like to clarify that the Environmental Analysis conducted for the Plentywater Creek Project is documented in an Environmental Assessment, not an E.I.P.S. an acronym which we assume to mean “Environmental Impact Statement.”

Comment h: “We have documentation that groups the tall bugbane in a “sensitive/special” status by the U.S.F.S. and BLM. It is not so identified in your report (Appendix 3, Table 1)(Appendix 2, p 31). The state has been monitoring the bugbane site on our northern boundary since 1992. Has the state botanist been notified of the harvest plans? What are their criteria for plant protection in a harvest zone?”

**BLM Response:** We appreciate your concern for the population of *Cimicifuga elata* (Tall Bugbane) in the SW corner of section 21 (T. 2N. R.2W., W.M.). This plant species is listed in the BLM Manual 6840 vascular plant species list as “Bureau Sensitive”. In response to your questions, Appendix 3, table 1-page 2 asks for information on Threatened and Endangered species, not Bureau sensitive species. Appendix 3, table 2-page 4 asks about environmental effects to Bureau sensitive and Special Attention plant Species/Habitat. This element was not identified as a major issue and refers to chapter 3 of the EA for details concerning the predicted effects of the proposed action.

In regard to your statement that “the state has been monitoring...” In your Comment a in Appendix 2 of the Plentywater Creek Project EA (see EA Appendix 2, Project Record document 58 Comment a) you refer to Larry Scofield as being a State Botanist. Your comment above leads us to believe that Mr. Scofield may still be monitoring the site. For clarification, Mr. Scofield is a retired BLM employee and to our knowledge has never approached BLM about continuing a monitoring program at this site. In addition, the BLM has never been approached by the State of Oregon regarding a monitoring program for this site. Mr. Scofield has the right to make public comments on Bureau projects, but he no longer represents the BLM. Our current Plant Specialist Kurt Heckerth would be interested in working with you to help resolve any further questions you might have. You can contact Kurt at (503) 815-1132.

In regards to the management of *C. elata*, since 1992 research has been completed for *C. elata* which documents local and regional trends in population size, determinations of “normal” year-to-year variability in population size, examination of species life-history and description of basic demographic processes such as mortality, birth rates, and probabilities of individual growth or decline in size, and comparison of populations in stands of differing management histories to evaluate the long term effects of forest management on this species population dynamics. Noteworthy findings indicate there was no direct evidence of negative effects of timber harvest on tall bugbane. Instead, populations along edges between un-managed and cleared forest had the largest, most fecund plants (produced more offspring). Research also indicates that minimal buffers may be necessary to protect the species from disturbance associated with timber removal. Recent research also indicates that forest thinning may actually improve conditions for the species. Chapter 2 of the EA indicates that a 50 foot buffer would be placed around this *C. elata* site. This research information can be reviewed at the Tillamook Resource Area Office, or you

can refer to “Population Dynamics of Tall Bugbane and Effects of Forest Management” January 24, 2000, Thomas N. Kaye, Plant Conservation Biology Program Oregon Department of Agriculture, at your leisure.

Comment i *“You plan to place boulders, logs, logging slash or berms of soil to discourage OHV activity. What is OHV activity?”*

**BLM Response:** OHV is an acronym for Off-Highway Vehicle. These are vehicles such as Quad-runners, four-tracks, off-highway motorcycles etc..

Comment j: *“Are these boulders, logs, etc. obstructions designed to prevent trespassing?”*

**BLM Response:** Barriers such as boulders, logs etc. are intended to prevent the unauthorized vehicular use of obliterated roads, closed roads and skid trails.

Comment k: *“Who monitors activity to prevent violations such as illegal dumping or increased criminal activity?”*

**BLM Response:** BLM Law Enforcement personnel and the Washington County Sheriff’s Department regularly patrol your area to prevent illegal activities, such as dumping, on the Public Land in your area. Partly in response to public comments received during the scoping phase of the Plentywater Creek Project the BLM incorporated features such as a visual buffer along Solberger Road and obliteration and blocking of temporary roads, and blocking of existing BLM roads in your area. However, we would like to remind you that the management of BLM land is not responsible for criminal activity in your area.

Comment l: *“Has Washington County been notified that hitherto inaccessible rural land will become accessible because of logging? Once notified, will they be increasing patrols of these areas because of the increased opportunity for clandestine activities?”*

**BLM Response:** The public lands in your area are currently fully accessible to the public from Solberger Road and other roads in the area. No change in accessibility will result from forest management activity on these lands. BLM Law Enforcement Personnel regularly patrols the Public Land in your area. The Washington County Sheriff’s Department regularly patrols your area as well. We expect that these patrols would continue at a level appropriate for your area.

In regards to “clandestine activity,” the BLM contacted the Washington County Sheriff’s department and learned that, if you feel unsafe, a Crime Prevention Specialist could come to your area and discuss with you and other residents in your area how to prevent crime and keep yourselves and your property safe. If you are interested in speaking with a Crime Prevention Specialist, you can contact Sandy James at the Washington County Sheriff’s Department (503) 846-2763.

Comment m: *“One of our major concerns is water runoff onto our property? On two occasions, in the past 10 years, heavy winter water runoff from the BLM property along our northern boundary has caused erosion of our driveway (We have photos if requested). On both occasions, we were required to build temporary dikes along the driveway to divert running water away*

*from our home. The flow of water was sufficient to create multiple channels (some 12 – 15 inches deep) and sweep gravel from our driveway into our yard and further down our hill. Naturally, we are concerned about the effects that deforestation will have on water retention and water flow. A berm may be a good idea to halt sediment and may also be a good idea to dam back overland flow. But our concern remains. Has a Hydrologist been consulted regarding the potential effects of runoff to our property? If so, may we see the report?”*

**BLM Response:** Our records indicate that on July 21, 1999, you notified BLM of your concern regarding water run-off in your area (Project Record Document 46a). This letter followed a July 19, 1999, conversation you had with Rick Kneeland of the BLM. On October 8, 1999, BLM hydrologist Dennis Worrel met with you at your house to discuss this concern. In his report Mr. Worrel indicates that “I did not observe any streams, channels, or erosion, scouring, deposition or wetland vegetation. I did not see any roads or skid trails, only a narrow lightly used trail” and went on to state that “ I told Mrs. Peterson that their driveway was located in a low spot and it appeared to me that much if not most of the water runoff was from their access road off Mason Hill Road.” (Project Record Document 46b). See also BLM response to Project Record Document 58 Comment c located in Appendix 2 of the Plentywater Creek EA, as well as the Soil and Water effects analysis located in Chapter 3 of the EA. These documents are available in the Tillamook Field Office BLM.

However, in the Preliminary Decision and FONSI for the “Plentywater” group of Timber Sales, which are a sub-group of the units analyzed under the “Plentywater Creek Project” EA, the decision maker elected to implement a “short windrow or low berm of soil/unmerchantable logs/slash across a small swale along the southern property boundary of unit 21-2. Restrict ground-based equipment from 75 feet of the small swale along the southern boundary.” This measure is being implemented to alleviate these concerns that you raised during the scoping process.

**COMMENT RECEIVED FROM UNITED STATES FISH AND WILDLIFE SERVICE**  
(Project Record document number 158)

Comment a: *“The U.S. Fish and Wildlife Service (Service) appreciates the opportunity to comment on the Plentywater Project FONSI and EA.*

*...the Service remains concerned that two of the proposed regeneration units (9-1 and 21-3) will likely remove forest with late-successional characteristics in two fifth field watersheds (USDI 1999) that are far below the 15 percent Late-Successional Forest (LSF) retention standard and guideline found in the ROD (Pg. C-44)...*

*..The Service is concerned that the regeneration harvest of the two units does not meet the intent of the 15 percent S&G in the ROD or the guidance memo, and may be inconsistent with the NFP...*

*...The Service believes that, according to the descriptions in the EA, silvicultural prescription, and the biological evaluation, the FSEIS, and the Service’s onsite review, these two proposed units clearly possess an overstory of large (19-21 inches DBH) conifers with a well developed*

*understory and a diverse mix of conifer and hardwood species that likely provides better LSF characteristics than do the fully or moderately stocked 80 year-old stands currently identified in these watersheds as LSF. Wildlife Resource Mitigation Measure 2 in the EA also recommends that harvest in these two units be deferred until such time that additional forest stands within the watershed have developed habitat features of LSF in order to reduce the potential for adverse impacts for the removal of suitable habitat for spotted owl and murrelet. The Service agrees with this recommendation and believes that the stand characteristics found in these two units are currently providing ecologically significant LSF in a watershed that is deficient in LSF and should be identified and retained as described in the LSF 15 percent S&G's..."*

**BLM Response:** After reviewing public comments the decision maker decided to revisit his preliminary decision on unit 9-1 and unit 21-3. In this review he re-examined the structural diversity across the landscape and the habitat elements offered by these two units. Following his review he decided that the habitat values provided on the landscape by the habitat structure of units 9-1 and 21-3 are more important than the timber value at this time. Therefore, he has decided to defer treatment of these units for an indefinite period of time.

**COMMENTS RECEIVED FROM CHARLES MERTEN** (Project Record document number 159)

Comment a: *"Solberger Road is unpaved, and is a gravel road. My vineyard is immediately east of the road in an open area. In the summer, any traffic whatsoever, even one vehicle, creates large clouds of dust that either goes to the east and onto my vineyard or to the west onto my neighbor's tree farm. The dust settles onto my grape vines and grape clusters. The dust enables powdery mildew and botrytis infections to thrive because it hinders the effectiveness of my spray program. I have been harvesting since 1993 and, each year, the area closest to the road has the highest incidence of those diseases.*

*I request that in connection with any log hauling activity or other activity that creates any traffic on Solberger Road from April through November you mitigate the dust by:*

- 1. Watering the road; or*
- 2. Applying an environmentally approved sulfite or other substance approved by Washington County for dust abatement."*

**BLM Response:** The Plentywater Creek Project EA (Chapter 3) does indicate a potential short term increase in dust generation resulting from harvest related activity along Solberger road. However, the BLM does not expect that this short term increase in dust generation would result in any impacts to private lands beyond that which you point out is already occurring due to daily traffic. Also, please refer to BLM response to Project Record Document Number 153 Comment b and e.

Comment b: *"I moved onto my property in 1986. Shortly afterwards the BLM clear-cut acreage on my southern border, east of where you intend to now log. Ever since then, your property has been a continual nuisance substantially affecting the livability of my property because you have done little to control the public's use of your land. Motor bikes and motorcycles frequently go*

*onto your land, making extremely loud noise for extensive periods of time. You did place boulders at the front of one of your logging roads a few years ago, but you do not maintain them as effective blockers of off-road vehicles. People simply have pushed them aside.”*

**BLM Response:** The most recent BLM land management action that occurred in your area was the Jarrell Road sale, which was completed in 1983. BLM law enforcement frequently patrols your area to monitor and prevent unauthorized activity. However, the BLM lands in your area are Public Lands, and are open for recreational activity.

Comment c: *“More importantly, you apparently have no controls of the use of guns on your property. Approximately twice per month from December to April, and once per week from May through November someone is on your land on my south border with a semi automatic or automatic rifle shooting for two-three hours. On many occasions, I have felt that bullets whistled overhead on my farm. Many of my trees adjacent to that cut-over land have been used as targets by the public”*

*I have a real concern regarding the safety of my family and property because of this gun use. I once called your office to complain and was told that it was public land and the BLM could not exclude the public. That is not an accurate statement – you indeed have the power to prohibit (exclude) various uses from public land, and you do so.”*

**BLM Response:** It would be inappropriate for the BLM to restrict legal recreational activities on public lands. BLM contacted the Washington County Sheriff’s department and learned that the county does not restrict the discharge of fire arms outside the Urban Growth Boundary. However, if a person is found discharging a fire arm in an unsafe manner or firing at a house (which is also unsafe) they could be subject to reckless endangerment as well as other charges. If you believe someone is firing a weapon at your house, we urge you to contact the Washington County Sheriff’s office or dial 911 and report it at once. Also, see BLM response to Project Record Document 153 Comment 1.

Comment d: *“By logging closer to Solberger Road you will increase the use of that land by off road vehicles and shooters. I request that you minimize the safety and nuisance consequences of this logging by:*

- 1. Fencing your land adjacent to Solberger Road after the logs have been removed and posting it as closed to shooting except during official hunting seasons;*
- 2. Banning off-road vehicles of any type;*
- 3. If No. 2 cannot be implemented for some legal reason, banning all vehicles that are not muffled in compliance with Oregon DEQ regulations; and*
- 4. Destroying all vehicular entrances to our land created by the logging activity.”*

**BLM Response:** As previously stated, the project design features include a 50 – 75 foot visual buffer along Solberger Road which was developed, in part, by comments received from the local citizens and the NW Helvetia Association during project scoping. The intent of this buffer is to reduce the visibility of the harvest unit from the road. It is not the intent of the BLM to prevent public access to these public lands, or to prevent legal recreational activities from taking place on

them. All highway licensed vehicles are required to be muffled in compliance with state law. Also, regarding vehicular entrances, please see BLM Response to Project Record Document 153 Comment f.

**COMMENTS RECEIVED FROM GEORGE SEXTON, REPRESENTING AMERICAN LANDS ALLIANCE** (Project Record Document number 162)

**Comment a:** *“The Proposed New Rooding and Skid Trails Will Retard Attainment of the Aquatic Conservation Strategy Objectives.*

*The EA acknowledges that the proposed new road construction and ground-based yarding will contribute to sedimentation, soil compaction, loss of soil productivity, and soil disturbance within the watershed. Rather than avoid these “short term” hydrological impacts, the EA attempts to justify them by citing potential long term hydrological benefits. We contend that the hydrological benefits provided by the road decommissioning and plantation thinning need not be tied to the sedimentation pulses and soil disturbance associated with the construction of new logging roads. Recent Ninth Circuit holdings have been quite clear that agencies cannot meet their ACS objectives by linking long-term watershed restoration efforts to activities that clearly degrade the hydrological health of the watershed in the short-term.”*

**BLM Response:** BLM contends that road decommissioning should be included along with the timber yarding and new roading to quantify all soil impacts. Road decommissioning is a ground disturbing activity and will result in soil impacts, both adverse and beneficial. Also, it is highly unlikely that any of these roads would be treated without being tied with a timber sale. Since funding is limited, high-risk roads prone to failure that have the potential to deliver substantial sediment into streams are decommissioned first, especially in a Key watershed. Dairy-McKay Creek is not a Key watershed; most of the roads proposed for decommissioning are in the Matrix land use allocation and are not considered “high risk” roads.

To not analyze the impacts of both restoration (road decommissioning) and reconstruction together paints an incomplete, one-sided picture of the actions to occur. The timber sale action in this watershed is the reason that roads within these planning areas are able to be removed. Variations in the amount of sediment input are clearly anticipated in stream systems and the need to maintain or restore ACS objectives is a requirement. Your comment, however, does not consider the range of natural variability inherent in aquatic systems. The EA page 62 as cited does recognize there is the potential for sediment inputs, however small short-term sediment inputs are the norm not the exception in stream systems and the maintenance of those ACS objectives is anticipated as stated in Appendix 9. Additionally as stated in the same paragraph cited on page 62 the text continues on page 64 after the affect calls “...the potential for sediment entering streams during the various ground disturbing activities and the hauling of logs can be minimized or eliminated with project design features,” The features adopted include, dry season hauling on most units, the use of sediment barriers in road ditches, spot rocking, etc. The matrix of Pathways and Indicators, Appendix 8, notes a short term degrade from the actions in two categories that relate to sediment. One of those categories relates to the potential transport of sediment into the stream channel and the other turbidity. While sediment or the input of turbid

water (effectively the same thing) can lead to effects on fish and/or fish habitat, there is no effective change in the baseline indicator at the sixth field scale of analysis.

Comment b: *“It is very disturbing to us that the proposed alternative calls for actions that:*

***[c]ould result in sediment delivery to streams as a result of road building and decommissioning, yarding of logs, and transporting logs, which could lead to indirect effects to fish and fish habitat.***

EA at 62

*It is not enough for the BLM to discount short-term hydrological degradation associated with sedimentation and turbidity by contending that long-term degradation is not likely. The mandate of the Aquatic Conservation Strategy (ACS) of the Northwest Forest Plan is clear that management activities must maintain and restore the objectives of the ACS. The site-specific impacts associated with continued roading and construction of skid trails in this highly roaded watershed and logging in the riparian “no-cut” buffer is not harmonized with the cursory “check off” of ACSO’s contained in Appendix 9. Indeed every other pertinent document in the NEPA file, indicates that the road building, skid trails and streamside cutting will not contribute to the maintenance of hydrological health.*

**To wit:**

*Table 3 in Appendix 8 of the EA acknowledges that timber sale activities will result in short-term degradation and long term maintenance (i.e. no improvement) of the disturbance history in the watershed. Appendix 8 also acknowledges that the proposed action will result in additional short-term, degradation of sediment/substrate health and road density objectives.*

*Similarly, page 62 of the EA acknowledges that timber sale activities “may result in short term increases in turbidity”.*

*And on page 8 the EA clearly states:*

***The proposed action (e.g. primarily the use of ground-based equipment, the Construction of roads and the thinning of stands on steep slopes) would result in soil Disturbance/compaction and increased risk of land instability which may increase sedimentation, decrease soil productivity and may have short and long-term impacts on hydrology.***

*Please note the reference to long term hydrological effects.*

*Additionally, the recommendations contained the Dairy-McKay Watershed Analysis (WA) designed to help attain the objectives of the ACS are not adequately incorporated into the proposed project. The WA recommends both avoiding road-building activity within riparian “reserves” and leaving a no-cut vegetation buffer along stream channels. Unfortunately these recommendations are not reflected in the proposal to yard through the Riparian Reserve*

*adjacent to unit 27-1 and to reconstruct three road segments within riparian reserves. Page 50 of the EA acknowledges that the road 'reconstruction' associated within the riparian reserve associated with unit 17-1 'would have the same impacts as building a new road.'*”

**BLM Response:** The BLM would like to apologize for any confusion caused by the term “no-cut” buffer. Our intent was to convey the fact that no trees would be harvested from a distance of 50 feet on each side of non-fish bearing streams and 100 feet on each side of fish bearing streams. Perhaps the buffer could be more accurately described as a “no harvest” buffer.

The Dairy-McKay WA on page 109 makes the following recommendation on BLM lands, “When doing enhancement projects in Riparian Reserves, avoid removal of vegetation along perennial streams that will significantly decrease stream shading during the summer months.” The proposed action would avoid removing vegetation along all perennial streams and, in addition to the WA, all intermittent streams that would significantly decrease stream shading during the summer months.

Only a small percentage of the RRs (Riparian Reserves) within the project area (approximately 40 acres) would be treated. Thinning of trees within RRs would allow trees to develop larger crowns, larger diameters, greater windfirmness and meet ACS objectives by increasing diversity of later seral stage habitats and increasing LWD. Minimum “no harvest” buffers will be 50 feet on non-fish bearing streams and 100 feet on fish bearing streams.

To accomplish project objectives in Unit 27-1 and meet management objectives in the RMP (Plentywater EA Chapter 1.3.3), it will be necessary to yard across an approximately 2,000 foot non-fish bearing section of upper Plentywater Creek. There are no known areas showing high potential for landsliding on stream-adjacent slopes. It is anticipated that it would require about 14 skyline corridors spaced approximately 150 feet apart that would cross the streams.

*Proposed design features for Unit 27-1 are:*

1. Where cable corridors pass through the RR area, corridor width would be limited to 12 feet.
2. Where it is necessary to yard across Plentywater Creek and through the RR, full suspension would be required over Plentywater Creek and the adjacent 50 foot  $\Delta$ no cut@ buffers on each side of Plentywater Creek.
3. The trees (including limbs and tops) which would be cut for cable corridor construction within the 50 foot  $\Delta$ no cut@ buffers would be felled into Plentywater Creek (if possible) to supplement LWD. If they (trees) cannot be felled directly into Plentywater Creek, they would be maintained on-site as CWD.

As indicated in Chapter 3 of the EA, the small corridor openings cut over the stream channel are not expected to be large enough to lower streamside-shading levels. Analysis using the RAIS (Riparian Aquatic Interaction Simulator, Weyerhaeuser Company 2001) methodology was conducted for unit 7-1. This analysis revealed no change in shading levels. While yarding requirements are different, the prescription for unit 27-1 is a lighter thinning in larger trees and as such should have similar results. As such no change in water temperature is anticipated. Any increase in water temperature, if it occurred, would become unmeasurable before it reaches fish habitat because the water would first flow through skunk cabbage swamps, beaver dams and industrial timber land clear cuts, the more likely source of temperature impacts.

As stated in Chapter 3 of the EA, the falling of corridor trees into Plentywater Creek would likely cause a small and short-term increase in sediment (trees are to be felled toward and/or into the stream). Yarding through these corridors with the use of full suspension over the streams and 50 feet on each side of stream banks and the retention of trees, limbs and tops alongside the streams, would insure any increase in sediment would be kept small to nonexistent. All sediment generated from the project, however, would likely be captured in the low gradient skunk cabbage swamps or in a series of beaver dams before reaching anadromous fish habitat.

The Dairy-McKay WA on page 110 makes the following recommendation on BLM lands, “Where feasible, avoid road building activities within Riparian Reserves. Where these activities are necessary, use practices that minimize hazards to aquatic systems.”

Road building within RRs would be avoided where possible. Only about 1.1% of the total length of road to be built or reconstructed in the project would be done within a RR. In Unit 17-1, to meet project objectives and management objectives in the Salem District ROD/RMP it will be necessary to reconstruct a spur road adjacent to BLM road 2N-2-18 to gain access and treat some forest stands. This will necessitate reconstructing an approximately 150 foot section of road and approximately 750 square foot turn-around in a RR. These two areas are located above an existing rocked road and have no stream crossings. The reconstructed road would be designed to minimize sediment runoff. The spur road would be used and decommissioned in one season. Spur road decommissioning would include slope recontouring of the road segment located within the RR. Reconstructing the slumped segment would essentially result in similar impacts to construction of a new road. However, constructing a road in alternate locations outside of the RR would result in a new mid-slope road with greater adverse environmental impacts.

The only other roadwork within a RR would be in Unit 3-2. The BLM Road 2N-3-2 in Unit 3-2 would require some minor maintenance and a small culvert would be removed after the unit is harvested. The culvert drains a small, low gradient and non-fish bearing perennial stream. This action may increase turbidity in the short-term, but would eliminate the eventual failure of this culvert that would result in additional sediment into the stream. Removal of the culvert and re-contouring the stream channel would have an impact on a very small portion of stream bank, which would recover quickly. Since the removal of the culvert would occur during the summer low flow period there should be little downstream movement of sediment. Most downstream movement would occur during subsequent winter freshets, however sediment is likely to move only a short distance since the stream is small, is of low gradient and has LWD to trap sediment. It is not anticipated that there would be removal of any vegetation that could contribute to stream shading.

In short, we believe that the proposed action follows the WA recommendations by avoiding road building in RRs wherever feasible and minimizing impacts where it is necessary.

*Comment c: "Furthermore the WA recommends working with the community in the rural interface zone. Several community members submitted thoughtful and detailed scoping comments to the ID team that were not incorporated into the proposed alternative. The BLM neighbors who requested no further new roading and clearcutting (regeneration harvest) within the rural interface zone have not had any discernible impact on the actual layout of the project. With the exception of one "beauty strip" it appears that the BLM merely included an alternative in the EA that addressed a few of the concerns raised by its neighbors, and then went ahead with the normal roading and clearcutting program as if no comments had been received. This has the appearance of arrogant "lip service" to collaboration with citizens in the rural interface zone rather than an actual partnership in which community input is reflected in the agency's proposed action."*

**BLM Response:** Following submission of Public comments during the scoping phase of the Plentywater Creek Project, the IDT analyzed the comments received and utilized them to help design preliminary features for Alternative 2, and to design additional alternatives to address the concerns raised in the comments. Following the development of preliminary design features the BLM conducted a public meeting (January 29, 2001) to which we invited all respondents to our scoping document, and all interested publics via newspaper advertisement. The BLM met with meeting participants, explained the preliminary design features, how their comments were incorporated into the design and answered questions. Written comments to the EA and BLM responses were included in Appendix 2 of the Plentywater scoping document. Meeting minutes were placed in the project record and distributed to meeting participants through the mail.

As a result of the comments received from our neighbors in the Rural Interface Zone during this in depth scoping process the BLM designed the proposed action to incorporate a visual buffer along Solberger Road, developed scotch broom treatments to reduce the potential for spread of this plant from the County road right-of-way onto adjacent private lands, restricted the use of compression brakes on log trucks within the Rural Interface Area and designed berms along our southern property line to ease the concern of our neighbors living there. Due to the incorporation of the visual buffer requested by our neighbors, it became necessary to construct a temporary

spur road to breach the buffer to effect forest management. The public requested that all roads be blocked following treatment to prevent activities such as dumping and unauthorized vehicle use. The project was designed to obliterate, plant and block the temporary spur road and block and waterbar the existing road following completion of harvest to reduce the potential for dumping and unauthorized vehicle use as requested. In fact, the BLM incorporated all feasible project design features that were requested by our Rural Interface neighbors into the project proposal. The only request that BLM did not include in the project was dust abatement for Solberger Road and repairs in the unlikely event that road damage occurs. Solberger Road is a County Road and the BLM is prohibited from expending appropriated funds on the maintenance and repair of County facilities by the Comptroller General.

In our effort to fully address the concerns of our neighbors, the BLM also developed Alternative 4, which removed the Rural Interface Area from treatment. Thus, fully addressing the concerns raised by our neighbors in the Rural Interface Area through project design features and an additional alternative to the proposed action.

Comment d: *“The aquatic conservation strategy analysis contained in Appendix 9 makes numerous references to the positive mitigation provided by the so-called “50 foot no-cut” buffers required by the Northwest Forest Plan. For example, the ACS analysis for Alternative 2 states:*

***The protection of the aquatic system will be ensured through very little thinning in the RR, no-cut buffers on all streams, and no new road construction in RR.***

***Appendix 9 pg 1***

*This reliance on non-existent mitigation measures is replete in the EA and Appendix 9. It is unfortunate that NONE of the above mitigation measures are actually part of the proposed alternative. The proposed alternative does call for significant thinning in the RR, and even allows for the operation of yarding equipment on existing skid trails within the RR (EA page 37). The proposed action calls for road reconstruction within several RRs that will have “the same effects as building a new road”. EA page 50. And the proposed action calls for the harvest of 14 ten foot wide swaths within the so-called “50 foot no-cut” RR buffer. EA page 51.*

*Furthermore, even if these mitigation measures cited in Appendix 9 were going to be implemented, they would not obviate the BLM from following the requirements of the Northwest Forest Plan. The NFP states quite clearly at WR-3: ‘Do not use mitigation or planned restoration as a substitute for preventing habitat degradation.’*

**BLM Response:** It is an inaccurate statement that “NONE of the above mitigation measures are actually part of the proposed alternative.” There are 30 to 40 acres of thinning proposed within Riparian Reserves, dispersed over a total of 544 acres of treatment area.

As stated above, the term “no cut” buffer may have been misleading. “No harvest” buffer is a much better description of these areas. In unit 27-1 where skyline yarding across 2 streams is planned, 14 corridors each less than 12 feet in width would be necessary to log this unit. It should be explained that these skyline corridors are not “swaths” cut through the Riparian

Reserves. The current natural average spacing between trees in this stand is greater than 12 feet. These corridors would be located in natural openings, but it is estimated that it would be necessary to cut approximately 0 to 2 trees per corridor in the 50 foot “no harvest” buffers, as trees do not grow equally spaced apart and the corridors need to follow a straight line. As explained earlier and in the EA ( pages 13 and 51), the trees cut would be left on site as coarse wood either in or adjacent to the stream channel.

Please see BLM Response to Project Record Document 162 Comment a regarding the 50 ft. “No Harvest” buffers.

NFP WR-3 is included in the Riparian Reserves Standard and Guidelines under the Watershed and Habitat Restoration Section. The Standards and Guidelines for Riparian Reserves on page C-31 state that “As a general rule, standards and guidelines for Riparian Reserves prohibit or regulate activities in Riparian Reserves that retard or prevent attainment of the Aquatic Conservation Strategy objectives.” As indicated in the Plentywater Creek Project EA and it’s Appendices the project meets all ACS objectives.

*Comment e: “Similarly, riparian reserve Standard and Guideline TM-1 states that silviculture is allowed in riparian reserves only if “needed” or “required” to “enhance” Late-successional conditions. Riparian reserves need to maintain or restore aquatic functions at all times and do not have as much flexibility as LSRs to be temporarily degraded with silvicultural prescriptions. We assert that road reconstruction, cable yarding, and cutting in the so-called “50 foot no-cut” buffer are not ‘needed’ to maintain or restore aquatic functions.”*

**BLM Response:** The paraphrasing of the Northwest Forest Plan Standard and Guideline TM-1 is inaccurate and misleading. It actually states on pages C-31 and C-32:

“TM-1. Prohibit timber harvest, including fuelwood cutting, in Riparian Reserves, except as described below. Riparian Reserve acres shall not be included in calculations of the timber base.

- a. Where catastrophic events such as fire, flooding, volcanic, wind, or insect damage result in degraded riparian conditions, allow salvage and fuelwood cutting if required to attain Aquatic Conservation Strategy objectives.
- b. Salvage trees only when watershed analysis determines that present and future coarse woody debris needs are met and other Aquatic Conservation Strategy objectives are not adversely affected.
- c. Apply silvicultural practices for Riparian Reserves to control stocking, reestablish and manage stands, and acquire desired vegetation characteristics needed to attain Aquatic Conservation Strategy objectives.”

The proposed thinning treatments in the Plentywater Creek Project area clearly fit into the description of “c.” The overall objectives of these treatments is to control stocking in order to

attain desired vegetation characteristics, described in the EA (pages 29-31), Appendix 1 (Silvicultural Prescription), and Appendix 9 (pages 1-3).

Comment f: *“Unfortunately, the cumulative effects analysis for the proposed new roading underestimates the already massive hydrological and terrestrial impacts of the current maze of logging roads and skid trails.”*

**BLM Response:** The comment does not provide any new information or data that was not already considered and analyzed in the EA. We believe that the EA clearly and accurately describes the current poor hydrological and terrestrial conditions in the watershed and contains an adequate cumulative effects analysis.

Comment g: *“The BLM seems unwilling to reign-in its bloated road-building program.”*

**BLM Response:** Very few roads have been built in the Tillamook Resource Area during the past couple of decades due to budget constraints and a variety of other reasons. Road construction associated with BLM timber sales in the past 15 years has added only 0.5 miles of permanent road to the Dairy-McKay Creek watershed. The Plentywater timber sale would add 0.95 miles of new permanent road. While it is true that the road density would be increased for the duration of the project due to new road construction, decommissioning at the end of the project would remove 1.8 miles of existing road. The net result will be that the timber sale would remove approximately 0.35 miles more road than BLM has constructed in the past 15 years.

Comment h: *“Road Decommissioning need not be tied to the continued cumulative impacts to soils and hydrology associated with new roading.”*

**BLM Response:** Refer to BLM response to Project Record Document 162 Comment a.

Comment i: *“...decommissioning roads will not magically restore the land to a pre-road condition...”*

**BLM Response:** We agree. However, we also believe that since most of the roads are natural surface, many with partially intact topsoil, it is reasonable to expect a 50% increase in long-term soil productivity after treating them. Decommissioning these roads would move them forward so that one-day these lands could supply timber and other forest commodities to provide jobs and contribute to community stability, fulfilling the primary Matrix objective.

Comment j: *“Decommissioning roads may result in lower road densities on paper but does not address the very real cumulative impacts that are extirpating Upper Willamette Steelhead Trout from the Dairy-McKay Watershed.”*

**BLM Response:** It is unclear if you are concerned with the factors relating to the decline in Upper Willamette Steelhead within their ESU or just the Dairy-McKay Watershed. The impacts disclosed in the EA mention that there may be localized impacts to Upper Willamette Steelhead, which lead to the “Likely to Adversely Affect” call. This affect call in no way brings up the potential of extirpation of any species resulting from the BLM actions in this watershed (EA

3.5.2.2.2.1). In the Status Review of West Coast Steelhead from Washington, Oregon and California. NOAA-NWFSC Tech Memo-27 states that within this ESU “ Native steelhead primarily used tributaries on the east side of the basin” (p. 3 of 10 Coastal Steelhead ESU’S) and goes on to say that the only population with a defined risk of extinction within this ESU is winter steelhead in the Calapooia River, which is not located within the project area (p. 6 of 11 Assessment of Extinction Risk).

*Comment k: “The proposed alternative will clearly continue the trend of damaging soil health and the hydrological and biological benefits provided by these soils. Currently 15% of the planning area in BLM ownership has been compacted by slid trails and roads. The EA calls for soil disturbance on 52 acres and loss in productivity on additional 103 acres. This contrasts greatly with the stated objective of the Salem District Record of Decision and Resource Management Plan (page 22) to ‘Improve and/or maintain soil productivity.’”*

**BLM Response:** One of the Water and Soil Objectives in the Salem District ROD/RMP is to “Improve and/or maintain soil productivity.” Management actions/directions developed to meet these soil objectives include applying best management practices during all ground- and vegetation-disturbing activities and minimizing disturbance of identified fragile sites (See page 23 of ROD/RMP). We believe that the proposed action is consistent with this objective. Some of the many management actions/directions that were adopted include the following:

Avoidance of fragile sites:

- During project development broad areas within the project area that potentially could degrade from intensive forest management were removed and dropped from possible management consideration.
- After scoping, an additional 33 acres of fragile and non-suitable woodland sites adjacent to Units 21-1 and 3-1 that were initially considered for harvest were dropped due to concerns for excessive erosion and landsliding.
- Minimum no-cut buffers will be 50 feet on non-fish bearing streams and 100 feet on fish bearing streams with the exception of Unit 27-1 where the cable corridor width would be limited to 12 feet, trees cut within the “no harvest” buffer would be left on-site, and full suspension would be required over streams.

The BMPs (Best Management Practices) contained in Appendix C1 through C8 of the Salem District RMP would be part of the design criteria of this proposed timber sale.

Timber harvests BMPs for the cable yarding areas are:

- On areas with high water tables, yard with full suspension or with one-end suspension on seasonally dry soils. On areas with slopes exceeding 65 percent, yard with full suspension, one-end suspension using seasonal restrictions, or one-end suspension using a standing skyline with lateral yarding capacity. Yard remaining areas using one-end suspension.
- Pile yarding debris on the landing to minimize the acreage around the landing impacted by intense burns or obstructed by heavy slash concentrations.
- Hand water bar cable yarding corridors immediately after use on sensitive soils where gouging occurs.

Timber harvests BMPs for the ground based yarding areas are:

- Use existing skid roads wherever possible.
- Limit new skid roads to slopes less than 35 percent.
- Use designated skid roads to limit areal extent of skid roads plus landings to less than 10 percent of the unit.
- Restrict tractor operations to designated roads and limit operations to periods of low soil moisture, when soils have the most resistance to compaction (dry season).
- In partial cut areas, locate skid roads where they could be used for regeneration harvest.
- Till compacted roads, including skid roads from previous entries, with a properly designed self-drafting winged subsoiler.
- Avoid tractor yarding on areas where soil damage cannot be mitigated.
- Avoid placement of skid roads through areas of high water tables or where the skid roads would channel water into unstable headwall areas.
- Water bar skid roads whenever surface erosion is likely.
- Avoid use of wide track vehicles or more than one machine on a skid road at any given time to minimize the width of the skid roads. On multiple pass skid roads, wide track vehicles create wider skid roads, and after multiple passes, drive the compaction deeper than a regular width track. However, they are good for one pass operations such as incidental scattered salvage or site preparation.
- If timber harvesting activities will produce slash that covers the existing skid roads so they cannot be relocated, till prior to felling timber with a properly designed winged subsoiler.

Specific Design Features:

- Following harvest, all skid trails within the regeneration harvest units which are determined by the hydrologist to be affecting the hydrologic function of the watershed would be decommissioned by decompacting the trail surface (subsoiling) and if needed, water-barring and blocking to vehicular traffic.
- Ground based equipment would not be allowed within RR except where they are able to operate from existing permanent roads located within the RR.

Additional Adopted Management Measures:

- Timber harvest units 3-1a, 27-1, 21-2, 15-1 would be implemented during dry season only and road maintenance activities such as spot rocking and sediment traps/filter in ditch lines will be used to the greatest extent practicable.
- Timber units 17-1 and 21-1 would employ dry season hauling. All other units within the "Plenty Aqua" timber units would be employ dry season hauling to the greatest extent possible.

In contrast to the overall condition of the watershed, we believe that current soil health on the proposed treatment areas is relatively good. The project soils are moderately high or highly productive (Site Index II & III), have good biological indicators, and are resilient to disturbances. The majority of proposed timber harvest units are on generally stable, gentle to moderately sloping hill-slopes and ridges. All forest stands proposed for treatment are currently fully occupied by tree canopies. Most of the existing soil compaction is associated with past tractor

logging, generally on slopes less than 40%. Approximately 5 to 10% of the lands proposed for harvesting that are capable of being ground-based harvested are compacted. Little compaction was observed on lands proposed for cable yarding. Since roughly 20 percent of the proposed silvicultural treatment area is on slopes greater than 40 percent (those mostly between 40 percent and 60 percent), the amount of compaction would be expected to be considerably less than 5 to 10%.

While these management actions/directions are "...designed to keep the extent and duration of adverse effects of soils within acceptable levels, adverse effects cannot be completely eliminated." (See Salem District RMP/EIS Vol. 1, p. 4-11).

The proposed alternative includes timber yarding on about 533 acres, building about 5,000 feet of new roads (about 2.2 acres not 22 acres; 22 acres is a typographical error in the EA), building and decommissioning about 4,700 feet of road within the contract period (called semi-permanent roads), and decommissioning about 10,700 feet of additional roads. The total amount of ground disturbance from all actions is estimated to be about 50 acres or about 9.4% of the total harvest area and approximately 12 acres (not 103 acres) or about 2.2% loss in long-term soil productivity. This breaks down to about 8.6 acres from yarding, 2.4 acres from loss of land timber base by new roads, 1.6 acres loss from building semi-permanent roads, and a gain in soil productivity of about 1 acre from decommissioning additional roads. We believe that these effects are within acceptable levels and would not contribute to adverse cumulative effects.

As stated in the EA, we believe that the proposed action would have a minimal cumulative effect on the overall soil productivity on the watershed. The project actions would contribute about 52 acres of ground disturbance and a loss of soil productivity of an estimated 10 acres. Analyzed either at the three 6<sup>th</sup> fields watershed scale (64,800 acres) or at 5<sup>th</sup> field watershed scale (147,956 acres) the amount of disturbance and loss in long-term soil productivity would be negligible.

Comment 1: *"Logging and yarding unit 17-1 has the very real capacity to increase sedimentation to the anadromous fish – bearing East Fork of McKay Creek. Instead of avoiding these impacts, the proposed alternative again attempts to merely mitigate them. Additionally unit 17-1 will require road construction within a riparian reserves. In addition to contributing to cumulative soil degradation, these proposals violate ACS 1, 3, and 5."*

**BLM Response:** Road building within RRs would be avoided where possible. Only about 1.1% of the total length of road to be built or reconstructed in the project would be done within a RR. In Unit 17-1, to meet project objectives and management objectives in the Salem District ROD/RMP it will be necessary to reconstruct a spur road adjacent to BLM road 2N-2-18 to gain access and treat some forest stands. This will necessitate reconstructing an approximately 150 foot section of road and approximately 750 square foot turn-around in a RR. These two areas are located above an existing rocked road and have no stream crossings. The reconstructed road would be designed to minimize sediment runoff. The spur road would be used and decommissioned in one season. Spur road decommissioning would include slope recontouring of the road segment located within the RR. Reconstructing the 150 foot slumped segment would essentially result in similar impacts to construction of a new road. Unit 17-1 is completely surrounded by RR. It would be possible to construct a road in an alternate location, however this

would result in a new mid-slope road approximately 700 feet long, which would include approximately 300 feet in RR, with greater adverse environmental impacts.

There is no supporting rationale for the comment that the proposal violates ACS 1, 3, and 5. As stated in the EA, the proposed action is consistent with the ACS objectives.

ACS 1. Your application of ACS 1 to a single treatment unit (unit 17-1) is inconsistent with the intent of the ACS objective. ACS objective 1 states “Maintain and restore the distribution, diversity, and complexity of **watershed and landscape-scale** features to ensure protection of the aquatic systems to which species, populations and communities are uniquely adapted.”

As stated in the Dairy-McKay Creek WA, riparian habitat has degraded in many parts of the watershed. Many are not providing adequate large wood and natural functions. The proposed action of thinning RRs, including Unit 17-1, would help restore a small portion of the diversity and complexity of the watershed by promoting the growth of large diameter trees and understory vegetation, by increasing the quality and quantity of future large woody debris, by hastening the development of a more diverse stand structure, an important characteristic of older forests, much faster than it would develop naturally. Although the proposed action entails reconstruction of a 150 foot section of road and a 750 square foot turnaround in RR, these areas are located above an existing rocky road and have no stream crossings thus minimizing the potential for sediment input into a stream channel. This coupled with the application of other project design features such as “no-harvest” buffers on all streams will ensure the protection of the aquatic system. Therefore, this project is consistent with ACS 1 with its finding of “does not retard or prevent attainment of ACS objective 1.”

ACS 3. The physical integrity of the aquatic system including shorelines, banks and bottom configurations will be maintained through the use of no harvest buffers and limited actions in the RR. Specifically, in the stream segment in question there is no change in the bottom configurations from the small amount of sediment that is likely to move into this stream, due to the stream’s size, its’ gradient and the current substrate in the active channel. Based on the watershed cumulative effects analysis, the proposed project is not expected to contribute to increase stream flows. Riparian treatments may hasten the recruitment of long term large woody debris into streams, creating pools in the aquatic system to trap sediment and reduce flow rates. Therefore, the proposed action would maintain the physical integrity of the aquatic system and thus, is consistent with the ACS 3 objective.

ACS 5. This ACS objective will be maintained by the use of dry season yarding and haul, the use of no harvest buffers along with the list of BMP’s described in Chapter 2 of the EA. Due to the use of these design features, it is anticipated that the timing, rate, and character of sediment input, storage, and transport would not change. To explain further, the amount of sediment anticipated is small and when it reaches the East Fork McKay Creek the size of the stream along with a moderate gradient and a substrate made up of rubble, cobble, and bedrock should keep the sediment in suspension or at least moving until it reaches the low gradient areas downstream that are soil substrate areas.

**Comment m:** *“The NEPA Documents do not Provide the Reader or the Decision Maker with Adequate Information Regarding Survey and Manage Species.”*

*“In reading the EA and Appendix 5, the reader is unable to discern if populations of Peltigera pacifica will be buffered. If they will be buffered one cannot discern how and where they will be protected. It appears that the analysis of Peltigera pacifica was conducted before the ID team member was informed of the harvest prescriptions contained in the proposed alternative.”*

**BLM Response:** Appendix 5 Table 2 for Survey and Manage species and their status, identifies *Peltigera pacifica* as a category E species. Appendix 5 section IV “Analysis of Significance of Effects,” clearly states that *P. pacifica* sites were located within or on the boundary of RR and will be buffered if needed. The *P. pacifica* sites were located very near the upper extent of a RR, but it will depend on their exact location within the RR to determine whether they will require any additional buffering. The actual size and shape of the buffer would be determined by, but not limited to, considering a number of ecological variables including aspect, slope, canopy closure, herbaceous ground cover and moss cover which will vary from site to site and will be implemented with the intention of maintaining existing site and microsite conditions. This determination cannot be made until the actual reserve boundaries have been clearly identified and marked during project layout. Regardless of the harvest prescription, the requirements for *P. pacifica* would be the same. *P. pacifica* would still be a category E species, it would still require protection, and the actual size and shape of the protective buffer would still be analyzed and implemented as described above. During field layout, when buffering has been completed, maps of the locations and buffer size will become part of the project record and will become available for review upon request at the Tillamook Field Office.

**Comment n:** *“The treatment of Hevella maculata in Appendix 5 is baffling. Hevella maculata is a ‘category B’ species under the 2001 survey and manage ROD. Category B species require the agency to manage (i.e. protect) known sites. In fact ‘manage known sites’ is the vary definition of Category B species. Yet the Appendix relies on a 1997 (pre 2001 ROD) Management Recommendation that does not require management of known sites. Please harmonize these two apparently conflicting management directives for the reader and the Decision Maker.”*

**BLM Response:** *Helvella maculata* is a category B Survey and Manage Species. Management direction for category B species (Record of Decision and Standards and Guidelines, Jan 2001, page 9) directs BLM to “manage all known sites” the same as category A. Under category A, Management Direction, manage all known sites states: “current and future known sites will be managed according to the Management Recommendation for the species. Professional judgment, Appendix J2 in the Northwest Forest Plan Final SEIS, and appropriate literature will be used to guide individual site management for those species that do not have Management Recommendations.” Based on the Management Recommendations for Survey and Manage Fungi (Sept 1997, version 2.0, group 25-8) *H. maculata*, which occurs throughout the assessment area in habitats other than old-growth forests, does not appear to be in need of special protection beyond that which is provided by the Northwest Forest Plan and the prospects of sustained habitat viability are excellent. Appendix 5 section 3.2.1.2.2 Alternative 2, (proposed action), states in part “Verified sites that are recommended to have buffer protection will be individually

assessed to establish strategies in maintaining their existing micro-climates, therefore eliminating or reducing the impacts to those sites.”

*Comment o: “For Otidea leporina, Bondarzewia mesenterica and Sowerbyella rhenana the reader is unable to determine the frequency, location, proposed buffers, harvest prescription and underlying land classification for any of these species. In fact there is no information, maps, or analysis of potential impacts to these, or any other survey and manage species, which would allow the public to make meaningful comments about their management.”*

**BLM Response:** In regard to *Otidea leporina*, *Bondarzewia mesenterica*, and *Sowerbyella rhenana*, it is not the intention of the BLM to disclose the locations of individual S&M species in the EA, rather to indicate that surveys have been conducted to protocol and certain species have been identified. We have clearly identified in the last sentence in section IV of Appendix 5 that all of these species will be protected, “Proposed project activities for Plentywater Creek Project will not impact individual sites, as plans to maintain existing microsite conditions by buffering should protect each known site and ensure species viability.” The buffer size is indicated in Appendix 5 section 3.2.1.2.2 Alternative 2, (Proposed Action), “verified sites that are recommended to have buffer protection will be individually assessed to establish strategies in maintaining their existing micro-climates, therefore eliminating or reducing the impacts to those sites.” During field layout, when buffering has been completed, maps of the locations and buffer size will become part of the project record and will become available for review upon request at the Tillamook Field Office.

*Comment p: Unfortunately the EA and its proposed action rely on 2001 Survey and Manage ROD in order to eliminate management responsibility for 7 survey and manage species that have been found in the planning area. All seven of these species were “strategy 4 species” before the 2001 ROD dropped them from the survey and manage program. By failing to manage for these species, both the Plentywater Creek EA and the 2001 ROD for Survey and Manage violate the requirements, of NEPA and FLPMA by failing to provide adequate habitat to maintain viable populations of various plant and animal species.*

**BLM Response:** The seven species that were removed from the Survey and Manage list are *Peltigera collina*, *Lobaria pulmonaria*, *Nephroma resupinatum*, *Sticta fuliginosa*, *Sticta limbata*, *Labaria scrobiculata*, and *Antitrichia curtispindula*. According to the Record of Decision and Standard and Guidelines, Jan. 2001, none of these species were identified to be associated with late-successional or old growth forests.

For all seven species removed from Survey and Manage Standards and Guidelines current “known sites” of these species are released for other resource activities (this includes the seven species mentioned above). Please reference the Record of Decision and Standard and Guidelines, Jan 2001 (e.g. Standard and Guidelines – p. 2 Species Removed from Survey and Manage and other Standard and Guidelines, Standard and Guidelines – pp. 53 and 54 (Table 1-2), and Standard and Guidelines – p. 55 - Exhibit A - Criteria for Identifying Species Closely Associated With Late Successional and Old Growth Forests). The proposed action is consistent with management direction contained in said Record of Decision.

Comment q: “*The Range of Action Alternatives is Extremely Narrow*”

*All three action alternatives call for clearcutting (regeneration harvesting), new roading and result in a MALAA determination for the Upper Willamette Steelhead Trout. It goes without saying that the no-action alternative is a “throw away” option that the Tillamook BLM will not choose to implement. Nearly every scoping comment received by the BLM requested that alternatives to these practices be developed and implemented. The BLM has ignored these requests and is clearly committed to building roads, clearcutting and participating in the ‘incidental’ take of Upper Willamette Steelhead Trout regardless of the empty formalities of the NEPA scoping and commenting process.”*

**BLM Response:** During the development of the proposed action, timber stands were analyzed for potential treatments that would allow these stands to meet the management objectives of the Matrix land use allocation. The treatments considered included regeneration harvest, commercial thinning and density management. In light of the preliminary environmental effects, current timber stand conditions and economic feasibility, the responsible official selected for detailed analysis a combination of regeneration harvest, commercial thinning, and approximately 37 acres Riparian Reserve thinning to help meet ACS objectives. Subsequently, in compliance with NEPA (National Environmental Policy Act), public comment to the proposed action was solicited by the Bureau through the listing of the proposed action in the June, September, and December 2000 and March 2001 editions of the quarterly Salem District Project Update which was mailed to over 1,000 addresses, as well as a letter which was mailed on July 26, 2000 to 124 potentially affected and/or interested individuals, groups and agencies. This extensive scoping process resulted in a total of 10 comment letters, the bulk of which focused their comments on the Rural Interface Area. The dispositions of those public comments are contained in Appendix 2 of the EA. The public, as well as the IDT, identified 3 major issues (a major problem or dispute) that would be created by the proposed action, as described in the EA (Soil and Water, Rural Interface). These major issues were used to define the scope of the analysis contained in the EA and were also used to develop alternatives to the proposed action. Two action alternatives were developed in addition to the proposed action that would address each issue and still partially meet the purpose and need for action. Regeneration harvest, road building and Upper Willamette steelhead trout critical habitat were not identified as major issues so they were not used for formulation of additional alternatives. The impacts of the proposed action and its alternatives on Upper Willamette steelhead trout are disclosed in Chapter 3 of the EA and its appendices. The effect calls on the steelhead varied from “No Effect” on some units to “May Affect, Not Likely to Adversely Affect” or “May Affect, Likely to Adversely Affect” on other units. The decision maker identified this variation in the preliminary decision and Finding of No Significant Impact, when potential timber sale projects were divided and grouped based on their impacts to the fish. The “Plentywater” timber sale group is comprised of units that have “No Effect” on Fish and the “Plenty Agua” timber sale group is comprised of the units that are “May Affect, Likely and May Affect, Not Likely to Adversely Affect.” The “Plenty Agua” group of projects will be subject to ESA consultation with National Marine Fisheries Service and will be consulted on with the higher call of “May Affect, Likely to Adversely Affect” applied to all units, and will not proceed until consultation is complete.

The phrase “range of alternatives” refers to the alternatives discussed in the environmental analysis document. It includes all reasonable alternatives which were analyzed in detail and those that were dropped from detailed study. A reasonable alternative must be responsive to the purpose and need for action **and** resolve one or more major issues. In this case, three major issues were identified that needed to be resolved and were resolved through project design features and the development of Alternatives 3 and 4. As established in case law interpreting NEPA, the phrase “all reasonable alternatives” has not been interpreted to require an infinite or unreasonable number of alternatives be analyzed. A reasonable range of alternatives depends on the nature of the proposal. Regulation requires the alternative analysis in an environmental document to include the alternative of “No Action.” There are two interpretations of the “No Action” alternative. One interpretation is continuing current management and the other interpretation is not doing the proposed action. The Plentywater Creek project IDT used the latter interpretation in the development of the no action alternative (Alternative 1) contained in the EA. This no action alternative sets the environmental baseline for comparing the effects of the action alternatives (Alternatives 2, 3 and 4). As such, the “No Action” alternative is a viable alternative for selection should the decision maker find that the environmental impacts of the proposed action and its action alternatives, which are fully disclosed in the EA, are unacceptable.

Comment r: *“The Dairy-McKay Watershed Analysis (WA) recommends that.*

***Large landowning partners are encouraged to manage currently mature stands of private forest to develop late-successional characteristics.***

**WA page 107**

*We encourage the BLM to lead by example in this regard. Instead of following the sound advise of the WA, the proposed action calls for 240 acres of regeneration harvest (clearcutting) on mature 50-70 year old stands. This is a very short rotation and does not allow mature forests to develop late-successional characteristics.*

*Appendix 8 identifies silvicultural practices as contributing toward the degradation of the “disturbance history” of the watershed. The disturbance history of the Dairy-McKay watershed is defined by high road densities and short-rotation clearcutting. The proposed alternative clearly contributes to this disturbance regime.”*

**BLM Response:** The silvicultural treatments currently being proposed for Matrix land would meet the management objectives for the Matrix land use allocation which are: Produce a sustainable supply of timber and other forest commodities to provide jobs and contribute to community stability; Provide connectivity (along with other allocations such as Riparian Reserves) between Late-Successional Reserves; Provide habitat for a variety of organisms associated with both late-successional and younger forests; Provide for important ecological functions such as dispersal of organisms, carryover of some species from one stand to the next, and maintenance of ecologically valuable structural components such as down logs, snags, and large trees; Provide early successional habitat.

The Proposed Action calls for the thinning of approximately 291 acres where the stand characteristics are compatible to this type of treatment. In these stands, conifer stocking densities are high, resulting in declining growth rates. A thinning treatment is appropriate in order to accelerate growth rates and improve stand vigor.

However, the Matrix stands planned for regeneration harvest are understocked with conifers as a result of extensive laminated root rot infection centers. As directed by the Salem District RMP, one of the main objectives of these stands is to “produce a sustainable supply of timber and other commodities to provide jobs and contribute to community stability.” Because these stands are producing timber at a level far below their capability, the appropriate treatment is to regenerate them with species that are resistant or tolerant to laminated root rot. These regenerated stands would be well-stocked conifer dominated stands which would produce timber at a level approaching their potential. Additionally, these treatments are not clearcuts, but rather include the retention of 7 to 10 of the largest conifers per acre. These leave trees would allow for the development of a two layered stand with the potential for a high level of structural diversity found in naturally occurring older forest stands.

***Comment s:*** “***The BLM is Ignoring the Northwest Forest Plan Requirement That 15 % of the Land Base in Federal Watersheds be Managed As Late-Successional Forest.***”

*Due to the overwhelming timber bias of the BLM, currently a mere 5% of the Dairy Creek watershed contains forests over 80 years of age. Instead of retaining stands that will provide some of the habitat characteristics of late-successional forest until the Resource Area comes into compliance with the 15% retention guideline, the proposed action calls for logging units that contain late-successional trees.*

*The BLM proposes to clearcut (regeneration harvest) unit 9-1 which contains numerous old growth Douglas-fir trees. While the silvicultural prescription contends that there are only 2 old growth trees per acre (and that these will generally be marked for retention) it also acknowledges that at-least 4 trees greater than 26” dbh will be left per acre for coarse woody debris recruitment. Clearly there is no shortage of large trees in this regeneration unit. Unfortunately the same cannot be said for the Dairy Creek watershed as a whole.*

*Similarly, unit 7-1 contains old growth Douglas-fir trees and a canopy closure of about 80%. This thinning unit (like the regeneration unit 9-1) will result an increased risk of windthrow and mortality to the remnant late-successional trees.*

*Additionally, unit 27-1 contains suitable owl and murrelet habitat (some of which will be logged within the so-called 50 foot “no-cut” riparian buffer). As stated in the disturbance history analysis in Appendix 8, and in the Dairy-McKay WA, it is this type of forest stand that provides what little late-succession habitat values there are in the watershed.”*

**BLM Response:** Currently the BLM manages approximately 4.4% of the Dairy-McKay Creek watershed (see EA Appendix 4, “Past, Present and Reasonably Foreseeable Future Action”). The remaining 95.6% is owned by large private industrial wood product companies and private individuals or smaller companies. Appendix 4 goes on to state “Since only 4.4% of the

watershed is owned by the BLM, any action taken on federal land will have minimal impact on these elements within the watershed as a whole.” Your assertion that BLM has a “Timber Bias” which is responsible for the lack of 80 yr.+ aged forests in the watershed is, at best, inaccurate. The Salem District conducted its 15% LSF (late-successional forest) analysis in conformance with the joint guidance titled “Implementation of the 15 Percent Retention Standard and Guideline” issued on September 14, 1998. The analysis indicated that the watershed was deficient in LSF to meet the 15% guideline. The BLM selected and mapped the “next best” habitat for deferral to meet this guideline in the future. The stands selected were in the 70-year age class and were modeled within riparian reserves. When combined with the stands that met the LSF criteria, the watershed is above the 15% threshold. None of the forest stands proposed for management actions in the Plentywater Creek Project meet the criteria for LSF as defined in the guidelines. However, after reviewing public comments, such as yours, the decision maker has decided to defer treatment of units 9-1 and 21-3. Please see BLM Response to Project Record Document 158 Comment a for details.

The stand comprising unit 7-1 is an even aged, dense, single canopy understory stand with scattered large old-growth Douglas-fir which stand well above the general canopy. These scattered old-growth trees are remnants of the previous stand and were maintained on the site following the last regeneration harvest entry as seed trees to supply a seed source for natural regeneration and have spent much of the last 60 years with no support from neighboring trees and due to their superior canopy position, they still do not gain wind protection from adjacent trees. Their longevity on the site is indicative of windfirmness; wind throw is not expected to be a hazard. Commercial thinning of the dense understory will not remove the late-successional trees nor degrade their habitat value.

In regards to unit 27-1, there is a small patch of older trees on the ridge top in the eastern portion of the unit. These older trees are not located in a “no-cut” buffer nor are they in a Riparian Reserve as you state. This older forest patch contains habitat elements which are believed to be beneficial to a variety of species preferring older forest structure. The BLM recognized the benefits of maintaining this structural component on the landscape during project planning and are maintaining this older forest patch and have not proposed it for treatment. It will be necessary to locate cable corridors through this patch to facilitate treatment of the dense stands below it, but the older trees are widely spaced and it is not expected that any of them will have to be cut to accomplish this.

***Comment t: “We are Concerned that the Minimal Mitigation Measures for Tall Bugbane (Cimicifuga elata) May Not Adequately Protect the Exclusive Habitat of This Plant.***

*This concern is self-explanatory.”*

**BLM Response:** Please see BLM Response to Project Record Document 153 Comment h.

**COMMENTS RECEIVED FROM WENDY MORTENSEN** (Project Record Document number 162)

*“Enclosed are two parts to my comments. The first part is clarification on past comments I believe are needed based on BLM’s responses. The second part is my comments on the FONSI.*

*Clarification Needed in Appendix 2 Issue Disposition.*”

*Comment a:* “ *Appendix 2 –Page 25; Project Document 53; Comment a: The purpose of comment “a” was to alert BLM that land north of Matrix/GFMA lands (Section 21 —2) supports high- value agricultural crops. I did not mean to imply that timber production is incompatible with agriculture, however, there are differences. High value agricultural crops are much more vulnerable to adverse environmental conditions than mature timber. Moreover, they require intensive management and expensive yearly inputs, unlike timber. You recognize these facts in Appendix 3 when you state the following: “Dust created from vehicle traffic on gravel or natural —surfaced roads, road construction, and logging operations is predicted to be localized and of short duration.” Unfortunately, the impacts of the “localized dust” along Solberger Road may result in economic damage to the producers and lost sales to the economy. Not all localized and short duration projects have equal impacts. Their assessments should relate to surrounding land uses and the localized impacts to those land uses. Chapter 1.0 of the FONSI, Pages 71-72, state that using County traffic counts, Solberger, a gravel road, will experience a 24% traffic increase during the 39-day harvest period of this project. BLM’s Introduction Page 4 states that “This project will be implemented using dry season operations only..... ”*

**BLM Response:** Thank you for reminding the BLM of the agricultural uses in your area during the scoping process. We agree that agricultural activities such as Forest Management and others can coexist in the same area. The BLM would like to clarify that the passage you quote from Appendix 3 “Environmental Elements” is related to Air Quality and identifies the potential for air pollution resulting from prescribed burning smoke and dust from harvest related vehicle traffic on gravel or natural-surfaced roads, road construction, and logging operations. As stated in the EA, “the air pollution effects of dust from the road resulting from harvest activity are expected to be localized and of short duration.” Appendix 3 of the EA does not reference agricultural uses in the project area. Also, please see BLM response to Project Record Document 159 Comment a.

*Comment b:* “*Appendix 2- Page 25; Project Document 53; Comment b: I wish to clarify my statement regarding “time spent patrolling BLM property”. I do not enter BLM property to patrol nor have I ever confronted anyone on BLM property. (We do “patrol” Solberger Rd. for trash removal, observation of unlawful dumping, and trespass on private property.) I do confront persons shooting or using motorized vehicles on my property to inform them they are on private property. Often these persons have stated they thought they were on BLM property (even though our property is posted and fenced). My intent is to inform people so I am not liable for accidents. Most of the time the shooting or riding we hear while working in our fields is taking place on BLM land. However, I believe as a responsible land owner and care taker of our land, I need to investigate as many instances as possible to insure these activities are not taking place on our land. This can become very time consuming and will be more so if BLM completes the proposed project.*

*I appreciate that in 1995 BLM recognized the need and acquired a Law Enforcement Ranger to patrol BLM lands. However, I do not consider tract 21-2 as being patrolled. It is an impossible task for one Ranger to patrol all of BLM land effectively. The most effective measure BLM took to reduce dumping, shooting, drinking, and destruction to seedlings in tract 21-2 was to block the harvest road with boulders (a beneficial consequence of this measure was a reduction of similar activity on our property and that of our neighbors.)*

*I too believe that the American public should enjoy outdoor recreation on their land. The uses that I am aware of that have taken place on Tract 21-2 after it was logged have been more destructive than recreational. Because Tract 21-2 is so close to the Metro area, perhaps BLM supervised recreation may be a more appropriate use.”*

**BLM Response:** Thank you for this clarification. However, it is not clear to BLM how this project will result in trespass problems. BLM lands lie to the South East of your property and the BLM property line was clearly posted during a 1982 survey. In addition, the BLM has incorporated numerous design features, in part, requested by you and other local citizens in your area during the scoping phase of the project, such as visual buffers along Solberger Road and obliterating, planting and blocking the temporary roads needed to breach the buffers to eliminate the potential for unauthorized use of access roads and skid trails. For your safety, the BLM urges you to use the utmost caution when approaching trespassers.

The BLM patrols your area to the best of our ability. The Washington County Sheriff patrols your area on a more frequent basis. Also, BLM is pleased to learn of the effectiveness of blocking roads to prevent unauthorized use in your area.

In regards to a “supervised recreation” site for your area, the RMP (Salem District Resource Management Plan) classifies the lands in your area as Matrix/General Forest Management Area. One objective of this land use allocation is the production of timber. Exclusive recreational use, which is outside the scope of this EA, may not meet the objectives of the RMP. In addition, introduction of a dedicated recreation site or facility would invite additional users to the area, encouraging those who would not normally visit the area to partake in activities. The amount of road travel through the area would increase substantially. As the local population grows, the use of the site would also grow. Frequently, a recreation site, during the off season or low use periods, provides the homeless with temporary accommodations, a place for parties and get-togethers, and can be an invitation for vandalism.

Also, if you feel unsafe, please see BLM response to Project Record Document 153 Comment 1.

Comment c: “Appendix 2- Page 27; Project Document 54; comment a: You state it is not clear to you how the presence of public lands, or public land management, is responsible for unauthorized use of private lands in the area. You also state that private lands in this area are easily accessed by county road.

*Although our private land is fenced and posted along the county road, persons can and do enter our property internally through BLM land or by going through the fence. Many think they are on BLM land and will shoot, ride motored vehicles, use alcohol or drugs, or dump trash. These*

*activities diminished greatly when BLM blocked their road and natural regrowth occurred after logging about 12 years ago. We are concerned that the mitigation proposed will not be effective enough to deter trespass and dumping after logging resumes during and after the proposed project.*

***I am unable to determine whether any roads will be maintained in Tract 2 1-2. Table 2 on Page 10 of the Finding of No Significant Impact shows 300 New Temp (semi-perm). If the net is minus 800, will 300 continue to be maintained?"***

**BLM Response:** The BLM would like to point out that BLM administered lands lie to the South East of your property.

The Jarrell Road project was the last management action on BLM land in your area and occurred in 1983. The BLM blocked the Jarrell road landing access road after receiving reports of unsavory activities occurring at the landing site, after which those activities stopped. BLM was reminded of this fact during the scoping phase of the Plentywater Creek Project. Based in part on those comments, the BLM has designed Alternative 2 so as to obliterate, plant and block the temporary spur roads and skid trails in unit 21-1, as stated previously, to prevent unauthorized use of these roads and skid trails.

Two roads will be used in unit 21-2. One will be a new temporary natural surfaced dirt spur approx. 300 feet that will go to the west off Solberger Road. The other is an already existing road (access to the Jarrell Road unit) that will be improved. Both roads will be blocked and water bared prior to the termination of the timber sale contract. The temporary dirt spur will also be decommissioned by subsoiling and planting.

Comment d: *“Comments on FONSI*

*I am impressed with the useful information contained in your studies. I plan to use some of this information to help our local organizations improve the deplorable condition of Dairy-McKay Watershed documented in the preliminary FONSI.”*

**BLM Response:** Thank you.

Comment e: *“RECOMMENDATION: Adopt Alternative 4.*

*Discussion: Alternative 4 the most cost-effective and most environmentally and socially responsible alternative. (Hereafter I will refer to the tracts left out of Alternative 2's regeneration harvest as Alternative 4 Urban Interface Area or sites).*

Cost effective:

*Alternative 4 contributes to meeting the objective to 'produce a sustainable supply of timber and other forest commodities to provide jobs and contribute to community stability.' On the other hand, BLM will save road construction and maintenance costs with the reduction of between 3,000 to 8,000 feet of road. There will be additional savings to BLM and County law*

*enforcement of patrolling to minimize illegal dumping, drinking, shooting, motorized vehicle damage, and general mischief that the Alternative 4 Urban Interface logging sites could attract. Alternative 4 Urban Interface is within 20 miles of a population of approximately 700,000 which is expected to double in the next 20 years.*

*Chapter 3, Page 72, Cumulative Effects of Alternative 2, BLM's preferred alternative, states: 'Criminal activity would be expected to follow current trends for the region as urbanization increases.' This conclusion discounts the effect that unsupervised logging sites may have on the Alternative 4 Urban Interface Area. In other words, Alternative 2 should include an increment greater than "the current trends". One indicator to use as to how much greater is to use the increase that occurred after the Solberger [Jarrell Road] timber sale 12 [19] years ago. You may subtract a small increment because BLM now employs a Ranger and proposes a buffer. Nevertheless, Alternative 4 will save law enforcement costs and continual repairs to replanted sites.*

#### *Environmentally Responsible:*

*Alternative 4 -eighty acres of regeneration harvest will lessen overall impacts. Alternative 4 will cause the least amount of disturbance in upland connectivity due to less regeneration harvest. The net reduction in roads of from 3,000 to 8,000 feet will help restore the sediment regime under which aquatic [sic.] ecosystems evolved. Thinning a range between approximately 26 acres and 37 acres of RR will result in a more diverse, wider array of habitat types between and within the RR as the treated portions respond to the thinning with increased windfirmness, growth and vigor.*

*Appendix 10 page 25 states that 105 less acres will be harvested. Little or no harvest will use ground equipment. There will be no impact on canopy cover over stream channels due to little harvest in RR (only about 5 acres) (15 in Alt 2) and no-cut buffers on all streams, therefore no impact to water temperature. Alt 2 would create 3000 feet of new road within watershed with increased sediment movement into streams in short term.*

*Unit 21-3, which is approximately 16 acres, has been determined to be suitable for spotted owl habitat and would not receive a regeneration harvest under Alternative 4. Alternative 4 would have the least adverse impact upon the spotted owl out of the three alternatives.*

*Alternative 4 creates the opportunity to provide more late-seral tree stands in a watershed where late-seral habitat is generally lacking. It aids general connectivity, dispersal, and refugia for late-successional habitat species with smaller home ranges, or for those species such as bats or pileated woodpeckers which may utilize other habitat types but are dependent upon some specific late-successional habitat features.*

*The Dairy-McKay Watershed does not need more early successional habitat. Alternative 4 would supply 65 more acres of dispersal habitat than Alternative 2.*

#### *Socially Responsible Use of Alternative 4 Urban Interface Area*

*Alternative 4 would reduce timber sale volume by approximately 2 mmbf, but still meet the planned timber sale volume for the Tillamook Resource Area. The relatively small reduction in timber volume will provide significant community benefits to the Alternative 4 Urban Interface Area. The harvest of BLM tract 21-2 approximately 12 years ago changed the surrounding Urban Interface land from peaceful farms, woodlands, and rural residences into a logged site that attracted drug, alcohol, and pornography incidences; shooting; illegal dumping; overnight parking; and motorized vehicle use on BLM and surrounding private property. Twelve years later the neighborhood has been restored to peace and order. This is mainly due to the BLM placing boulders at the entrance of their road and natural regrowth of the site. Although BLM proposes mitigation, continued population growth will nullify any gains made through mitigation. In other word, more illegal activity will occur incrementally without the planned action, but an unsupervised logged site will accelerate and increase negative community impacts by a significant factor.*

*Perhaps the long term use of site 21-2 should be supervised recreational use such as outdoor environmental education. Nevertheless, because the metro population is increasing so rapidly, it's future for regeneration harvest should be reconsidered based on the documented economic, environmental, and social costs.*

*Thank you for the opportunity to review the Preliminary FONSI.”*

**BLM Response:** Thank you for your participation in the management of your public lands. Your comments and rational will be presented to the decision maker and will be used when making the final decision on the Plentywater Creek Project. The BLM would like to point out that when making the final decision the Decision Maker is not mandated to select “the most cost effective” nor “the most socially acceptable” nor “the most environmentally friendly” alternative. The decision maker must carefully weigh the economic, social and environmental costs of each alternative and select the action or actions which he believes to both meet the purpose and need, and to be the best trade off between the sometimes competing values of the public and the environment. Your carefully thought out comments will be a valuable asset for weighing the full impacts of the action(s) when rendering the final decision.

In relation to unit 23-1, please see BLM Response to Project Record Document 158 Comment a.

For clarification BLM would like to point out that Alternative 4, as defined in EA Number OR 086-01-01, has two possible options for the decision maker to choose from, 4/2 contains the treatments in the proposed action but does not treat the Rural Interface Area and 4/3 contains the treatments proposed in Alternative 3 but does not treat the Rural Interface Area. For this reason, Alternative 4 presents a range of possible effects. These effects are analyzed under Alternative 4 of the Plentywater Creek Environmental Assessment and it's appendices.