



September 10, 2018

Karen Schank, Field Manager
Bureau of Land Management
4610 Third Street
Tillamook, OR 97141

In Reply To: Panther Creek EA

Dear Ms. Schank:

American Forest Resource Council (AFRC) is a regional trade association whose purpose is to advocate for sustained yield timber harvests on public timberlands throughout the West to enhance forest health and resistance to fire, insects, and disease. We do this by promoting active management to attain productive public forests, protect adjoining private forests, and assure community stability. We work to improve federal and state laws, regulations, policies and decisions regarding access to and management of public forest lands and protection of all forest lands. AFRC represents over 50 forest product businesses and forest landowners throughout the West. Many of our members have their operations in communities adjacent to the Tillamook Resource Area, and the management on these lands ultimately dictates not only the viability of their businesses, but also the economic health of the communities themselves. The state of Oregon's forest sector employs approximately 76,000 Oregonians, with AFRC's membership directly and indirectly constituting a large percentage of those jobs. Rural communities, such as the ones affected by this project, are particularly sensitive to the forest product sector in that more than 50% of all manufacturing jobs are in wood manufacturing.

AFRC has been advocating for **sustainable timber management** on O&C Lands for well over a decade. Our membership depends on a BLM timber program that is designed to sustain itself into the future. O&C Lands are required by law to be managed for "permanent forest production." While we do not agree that the current RMPs actually

meets this mandate, proper implementation of the plan's timber harvest levels is a necessary step toward meeting the Act's requirements.

We have expressed our concerns with how the past management paradigm under the Northwest Forest Plan (NWFP) of exclusive thinning impacted BLM's ability to achieve this long-term sustainability. When the NWFP was conceived in 1994, BLM assured the public that the timber resources on O&C Lands would be managed based on the principles of sustained yield. This assurance was based on a carefully crafted harvest plan that included both regeneration and thinning treatments directed by a detailed modeling effort. Those models, and particularly the regeneration harvest that form the underpinning of long term sustainability, were largely ignored during the 20 years following completion of the plan—regeneration harvest was deferred in favor of a management scheme based solely on thinning.

The BLM recognized these facts in a 2012 RMP Evaluation Report on the implementation of what then was their current Resource Management Plan (RMP). Among other findings, this report led the BLM to the following two realizations:

- The determination of the ASQ is based upon an assumed; mix, intensity and cycle of regeneration and thinning harvest. Adherence to the principles of sustained yield, at the declared ASQ harvest level, is based on implementation of these assumptions.
- Accelerated rates of thinning without replenishment of younger forest stands through regeneration harvest means that opportunities for thinning will eventually be exhausted. The current approach to a forest management regime that deviates so considerably from the RMP assumptions used in determination of the ASQ is **not sustainable** at the declared ASQ level.

A similar modeling effort was completed for the 2016 RMPs, published by BLM last summer. Once again, BLM assured that their timber resources would be managed based on the principles of sustained yield as directed by the O&C Act, and this assurance was once again supported by a carefully crafted set of models that included a combination of regeneration harvest and thinning. AFRC wants to ensure that the implementation failures of the Northwest Forest Plan described above are not replicated under the current RMP. **A failure to implement would be characterized by BLM ignoring the sustained yield models and proposing treatments in conflict with those models, thus leading to an unsustainable management scheme.**

Achieving an ASQ that is sustainable in the long-term is vitally important to AFRC and its membership and it will take a deliberate approach by BLM to managing the Harvestable Land Base (HLB) to make it happen. This deliberate approach will

require a major paradigm shift from how the BLM managed its O&C Lands over the past twenty years. **We need the BLM to distinguish between “offering ASQ volume” and “managing timber resources consistent with the principles of sustained-yield.”**

These two are **NOT** the same. The BLM “offered ASQ volume” since 1994—but as your 2012 RMP Evaluation Report noted, you were not managing sustainably.

In our scoping comments for the Panther Creek project, we highlighted these points as well as included a copy of the table compiled from BLM source databases used in the modeling for the Proposed Resource Management Plan (PRMP), which is copied below. We emphasized that **the ASQ for the Salem Sustained Yield Unit (SYU) is only sustainable if these models are followed as closely as possible.**

Tillamook

HMP Desc	Age Grp 2013	GIS Acres	First Decade Regen	First Decade Thinning
Mod Intensity	1) 0-30	9,940		
	2) 40-70	22,361	2,351	2,563
	3) 80-110	7,726	2,567	
	4) 120-150	5,795	560	
	5) 160-190	44	35	
	6) 200+	21	19	
	(blank)			
Total Mod Intensity		45,888	5,532	2,563

We are happy to see that the Tillamook Field Office apparently recognizes the importance that this modeling effort has toward managing timber resources sustainably. Page 9 of the EA states that “...BLM modeled a repeated cycle of regeneration harvest and regrowth within the Harvest Land Base that does not decrease over time. Accordingly, every individual timber sale planned within the Harvest Land Base, like the proposed project, serves an integral function in contributing toward meeting the sustained yield objectives of the RMP.” In particular, we are glad to see that the Tillamook Field Office recognizes the integral role that **“every individual timber sale”** fills toward meeting the larger objective of sustained yield across the HLB. However, we are bit puzzled by what seems to be a contradiction of this recognition in the “Response to Comments” section of the EA that responds to AFRC’s requests regarding the importance of the vegetation models to achieving a sustainable program. Page 176 of the EA states that “We disagree with AFRC that an individual project, like the Panther Creek project, needs to align with the model outputs.” So, which is it? Does every individual timber sale serve as an “integral function” in contributing to meeting the sustained yield as stated on page 9 of the EA? Or, does the BLM believe that an individual project need not “align with the model outputs”?

We are also confused regarding additional language on page 176 in response to our written comments. Here, the BLM states that the proposed Panther Creek project is “generally consistent” with “many of the outputs” that the vegetation modeling reported. You go on to state that “this general consistency is not because the Panther Creek IDT sought specifically to propose a project that reflected the modeled outputs but instead comes from the fact that the current condition found within the Panther Creek planning area is reflective of the current condition experienced by the model.” These sentences make little sense to us and we have a few questions in response:

- What exactly does “generally consistent” mean? Either a project is consistent with the vegetation models (designing treatments as they were modeled) or it is not (designing treatments as they were not modeled). Is the BLM suggesting that some components of the project are consistent while other are inconsistent? If that is the case, then AFRC would argue that the project as a whole would be “inconsistent” rather than “generally consistent.”
- Is the second quotation we cited above attempting to convey the notion that the “general consistency” is not a result of a deliberate attempt by the IDT to design a project consistent with the vegetation models, but instead was achieved accidentally?
- If so, is the BLM suggesting that this accidental achievement is a function of the fact that “current conditions in the project are reflective of the current condition of the model”? Of course, the current conditions in the project area are reflective of the current conditions in the model—the model was, after all, built on actual conditions of lands designated as HLB! Achievement of true sustained yield hinges on *how* the BLM treats these stands, not simply the existence of them.

Regardless of the BLM’s approach, which we feel is critical to sustainable timber management over the next ten years, the action alternatives proposed in the Panther Creek EA are all consistent with the vegetation models used to calculate the Salem SYU. We urge the Tillamook Field Office to consider their 10-year implementation strategy when selecting an alternative on Panther Creek to move forward on. The level of regeneration harvest and thinning harvest appropriate on future planning areas should factor into the decision-making process for Panther Creek. Aside from that consideration, we would recommend the BLM consider the backlog of regeneration harvest created from over 20 years of an almost exclusive thinning regime under the 1994 RMP and strive to implement a level of regeneration harvest on this project that reflects the need to begin managing timber resources sustainably in earnest.

In addition to adhering to the vegetation modeling described in the PRMP/FEIS AFRC believes it is critically important that the BLM closely adheres to the other design features described in this document that impact how the HLB will be managed for sustained yield timber production. One such design feature is the North Oregon Coast

Distinct Population Segment of the Red Tree Vole. The direction on how to manage for this resource is described on page 101 of the NCO ROD/RMP. Here, the BLM is directed to conduct pre-disturbance surveys on stands that meet two specific parameters. Those parameters are 1.) Stands with a QMD ≥ 16 " and 2.) stands that are over 80 years old **or** stands with canopy cover $\geq 60\%$ and ≥ 2 superdominant trees per acre. Stands proposed for treatment should be assessed by the BLM based on these two parameters exclusively to determine the need for pre-disturbance surveys. The BLM describes the process used to determine the need for pre-disturbance surveys for the Panther Creek project on pages 88-91. Based on this description, it appears to AFRC that the Tillamook Field Office performed pre-disturbance surveys for the RTV based off of an analytical process that is not entirely consistent with the RMP direction. We have several questions/observations regarding this process that we would like to present to the BLM and request clarification on:

- Nowhere on pages 88-91 does the BLM mention the need for a stand to have a QMD greater than or equal to 16 inches. This threshold is the first threshold that must be met per RMP direction, and it appears that the BLM ignored it. If a stand has a QMD less than 16" then the BLM should not be surveying it, regardless of any other stand conditions present. During our field visits we viewed one particular RTV 10-acre "habitat area" in a dense plantation (Unit 13-2) that appears to have a QMD well below 16".
- It is confusing to us why the BLM conducted the exercise to label stands as "high quality RTV habitat" and "low quality RTV habitat", both of which were a function of age. What purpose did these labels serve in assisting the BLM in determining which stands to conduct pre-disturbance surveys on since the age threshold of 105-years used is irrelevant in your RMP direction?
- Page 91 of the EA states that "all proposed treatment stands were assessed for RTV habitat." We believe that the BLM is required only to assess the specific parameters listed on page 101 of the NCO ROD/RMP as they relate to RTV pre-disturbance survey needs.
- Page 90 of the EA alludes to the BLM's Special Status Species Policy. We believe that the aforementioned RTV survey protocol on page 101 of the NCO ROD/RMP is how the BLM adhered to this Policy in the PRMP/FEIS. Nowhere in the Plan Direction for the HLB is management for Special Status Species mentioned as a stand-alone objective.
- Page 91 states that "324 acres surveyed include all proposed stands over 76 years of age or older." Once again, did the BLM consider the QMD of these stands as directed by your RMP?
- Page 91 states that "77 acres of older stands not proposed for treatment were surveyed." Your RMP directs you to conduct surveys in "proposed projects." It

does not direct you to conduct surveys “adjacent to proposed projects.” These additional surveys are also inconsistent with your RMP direction.

Furthermore, we are confused regarding the extensive analysis on treatment impacts to RTV habitat conducted on page 93-99. AFRC believes in thorough site-specific analysis designed to help inform good decisions. We do not support extraneous and superfluous analysis on issues not relevant to a project in question. Such extraneous analysis could actually cloud the decision-makers ability to make the best-informed decision. How does the impacts to RTV habitat disclosed on pages 93-99 help inform a better decision? Which of the six “needs” outlined on page 9-10 of the EA does this analysis address? Which of the six components of the Management Objectives described for the HLB on page 59 of the NCO ROD/RMP does this analysis tier to? Ultimately, we believe that the BLM needs to focus their analyses to consider those resources that are pertinent and not on those that are irrelevant. Doing so will result in an efficient NEPA process and quality documents that will better assist the decision-maker in their decision-making process.

It appears based on the EA that the BLM is still in the process of collecting the data necessary to design project in accordance with the RMP/ROD direction of avoiding incidental take of northern spotted owls (NSO). Table 33 on page 124 of the EA indicates that the potential NSO site that is still being surveyed would have 72 acres of suitable habitat removed through regeneration harvest. This site is already below “thresholds” determined to be necessary for NSO survival. Therefore, if NSO detections are made at this site between now and a final decision, implementation of these 72 acres could be determined to be inconsistent with your plan direction. Has the BLM considered an alternative treatment type to these 72 acres that would maintain the suitable habitat and permit the stand to still be treated in accordance with your “no-take” provision described in the RMP?

The timber products provided by BLM are crucial to the health of our membership. Without the raw material sold by BLM these mills would be unable to produce the amount of wood products that the citizens of this country demand. Without this material, our members would also be unable to run their mills at capacities that keep their employees working, which is crucial to the health of the communities that they operate in. These benefits can only be realized if BLM sells their timber products through sales that are economically viable. This viability is tied to both the volume and type of timber products sold and the manner in which these products are permitted to be delivered from the forest to the mills. There are many ways to design a timber sale that allows a purchaser the ability to deliver logs to their mill in an efficient manner while

also adhering to the necessary practices that are designed to protect the environmental resources present on BLM forestland.

The primary issues affecting the ability of our members to feasibly deliver logs to their mills are firm operating restrictions. As stated above, we understand that BLM must take necessary precautions to protect their resources; however, we believe that in many cases there are conditions that exist on the ground that are not in step with many of the restrictions described in BLM EAs and contracts (i.e. dry conditions during wet season, wet conditions during dry season). We would like BLM to shift their methods for protecting resources from that of firm prescriptive restrictions to one that focuses on descriptive end-results; in other words, describe what you would like the end-result to be rather than prescribing how to get there. There are a variety of operators that work in the Northwest BLM market area with a variety of skills and equipment. Developing a contract that firmly describes how any given unit shall be logged may inherently limit the abilities of certain operators. For example, restricting certain types of ground-based equipment rather than describing what condition the soils should be at the end of the contract period unnecessarily limits the ability of certain operators to complete a sale in an appropriate manner with the proper and cautious use of their equipment. To address this issue, we would like to see flexibility in the contract to allow a variety of equipment to the sale areas. We feel that there are several ways to properly harvest any piece of ground, and certain restrictive language can limit some potential operators. Though some of the proposal area is planned for cable harvest, there are opportunities to use certain ground equipment such as fellerbunchers and processors in the units to make cable yarding more efficient. Allowing the use of processors and fellerbunchers throughout these units can greatly increase its economic viability, and in some cases, decrease disturbance by decreasing the amount of cable corridors, reduce damage to the residual stand and provide a more even distribution of woody debris following harvest.

Constructing forest roads is essential if active management is desired, and we are glad that BLM is proposing the roads that are needed to access and treat as much as the project area as possible in an economically feasible way. Proper road design and layout should pose little to no negative impacts on water quality or slope stability. Consistent and steady operation time throughout the year is important for our members not only to supply a steady source of timber for their mills, but also to keep their employees working. These two values are intangible and hard to quantify as dollar figures in a graph or table, but they are important factors to consider. The ability to yard and haul timber in the winter months will often make the difference between a sale selling and not, and we are glad BLM is working to accommodate this.

AFRC is happy to be involved in the planning and decision-making process for the Panther Creek EA. Should you have any questions regarding the above comments, please contact me at 541-525-6113 or ageissler@amforest.org.

Sincerely,

Andy Geissler
Western Oregon Field Forester
American Forest Resource Council