



## Harney County Restoration Collaborative Meeting Wolf Project Objection Period Clarification

Tuesday, May 19, 2015 Pine Room Restaurant, Burns, Or

### Meeting Notes

**The purpose of the meeting was to hold “Objection Period Clarification Session for the Wolf Creek Project”. Time was devoted to allow people who have concerns about the Wolf Creek Project after reading the Proposed Action to be able to ask Forest Service personnel about their concerns.**

#### Participants:

Lori Bailey, Christy Cheyne, Josh Giles, Roy Sutcliffe, Melissa Ward, Travis Swami (USFS), Dan Bishop (DR Johnson Lumber), Dan Haak (HCHDW, SCCJP), Rod Klus (ODFW), Jon Reopen (BLM), Jack South worth (HCRC Facilitator), Larry Blasing (Grant Co. Public Forest Comm.), Jim Sproul (Grant Co. CPH), Alec Oliver, JC Oliver (J.C. Oliver Inc.), Zach Williams (Iron Triangle), Karen Coulter (Blue Mtns. Biodiversity Project), James Campbell (Farmer) Trent Seager (OSU), Brenda Smith (High Desert Partnership)

#### Notes:

Overview of the Wolf Project Proposed Action – Lori Bailey

Handed out brief of the project

The purposes of the Wolf Project are to:

- Improve native vegetation resilience and resistance to insects, disease and wildfire
- Restore meadow habitat, aspen stands, and riparian hardwoods
- Enhance sagebrush steppe habitats
- Reintroduce fire on the landscape as a natural process
- Reduced road related impacts to the watershed (terrestrial and aquatic habitat and water quality)
- Capture the economic value of harvested timber

#### Key issues:

Issue #1 – Effects on big game cover

Issue #2- Effects on connectivity corridor

#### Alternatives to Consider:

Alternative 1 – No action

Alternative 2 – Proposed Action

Alternative 3 - Designed to address key issues

#### We have had 2 key issues:

Effect of the project on the big game cover - we have treated below forest standards.

Effects on connectivity corridors – we identify strips of forests that connect old growth stands and late old stands.

We have certain standards on how we treat this area.

Because of these issues we developed proposed Alternative 3

We are proposing to harvest mixed conifer stands, the forest supervisor has identified Alternative 3 as his preferred Alternative and in this Alternative the following changes are outlined:

- Reduced wildlife corridor harvest as part of this proposal.
- Old growth to enhance old growth enhancements.
- Enhance mahogany, sagebrush steppe, and riparian enhancement.
- Stabilizing a headcut on Wolf Creek meadow
- Access, the roads we choose for decommission we don't feel we will need them in the future, if closed they can be opened in the future – we have considered permittee, search and rescue and fire access. If it

is a closed road and permittee needs it for access just need it on the permit. Search and rescue can get access at any time.

**Concerns and questions about the Wolf Project – go around the room and give each person a chance to comment on or ask questions about the Wolf Project.**

Larry Blasing:

- No fundamental disagreements with any proposed projects. I do disagree with some things that are occurring after the project. “Sustained yields” is for a 100 year project but at some point in the future will have to use these roads. If you do not have access with today’s technology then you have to have roads every ½ or ¼ mile. Then you have to have a plan to harvest in the future and you don’t have a plan then you end up taking up sustained yield with these closed roads. On the Elk 16 plan – parallel roads on either side of the creek. If you close one of those roads then you take out of sustained yield production. Maintain wood and water and sustain young and vigorous stands forest.
- Multi-use sustained yield act inherently told the Forest Service the stands in 1960 were not the future and they needed to change. There was nothing that was said that changed that land base – the target is still to manage the timber base to mean annual growth. I am not interested in making tree farms but we still need to keep that base. It essentially dictates how our multiple-use works. We can’t maintain sustained yield anymore. We have to maintain the base we operate on and it happens over a long period of time. There are no young stands we have to have multiple levels of tree ages to sustain or maintain our stands for the next 40 years.

**FS replies:**

- As far as going to back to Historical Range and Variability (HRV) and we are going back beyond 1960 there is a discrepancy as we are trying to respond to economic needs of the communities. Our trees don’t grow as fast. This is not Marshall Devine – this was a single age stand, now that it is open we can get a response from the seed base.
- But this is not a good target. Historically, when harvest was started way we had a large volume of timber and were managing inventory. And we were going to maintain harvest, but we couldn’t maintain that harvest indefinitely. We need to manage growth that we can produce sustainability.

**Q.** Is any land in the project in Grant County? **A.** Yes, 40 or more % of land. **Q.** Is Grant County court and sheriff aware and are you working with them? **A.** Yes, we are and we had an evening meeting on the Wolf Project for access and Judge Meyers attended.

- HCRC Collaborative chose Alternative #2. **Reply:** The collaborative did not endorse #2

**Q.** Why are we even coming down here and participating with HCRC to then let the forest supervisor choose the alternative?

**A.** This is risk we decided to take with cover right now because of a lawsuit going on.

The collaborative does not endorse but it helps us with concerns for each.

**Q.** Do you have a salvage plan if you lose timber if the prescribed fire goes out of bounds? **No.**

We are losing our timber base – I don’t remember this happening.

Any prescribed burning includes everything including

Jim Sproul:

- **Q.** On Key scoping – did you receive comments on access? **A.** Probably. I can tell you that you received 4 during the 30 day objection. The reason these 4 comments were not included because only Scoping drives alternatives – and I didn’t see anything in Access, 41 miles closed, 48 miles that will be reclosed?  
**Q.** Do you have NEPA document on all road closures? We need this. You also have 22 roads decommissioned? Are some previously closed? **A.** Yes. **Q.** Those have a NEPA document on all previous

closures? And Grant County court sent a letter to Forest Service last Friday. A. We have not received it. What is the intent of the letter? Read the letter.

Zach Williams: **Q.** Please clarify the closures. **A.** We documented every NEPA with every closed road. Please clarify with current status with ML1 roads without NEPA. **A.** Lori Bailey – there are multiple issues going on here – we believe are going through the proper channels.

Jim Sproul: **Q.** Are you putting physical gates/ closures – nothing says how they are specifically closed. You need to tell us how you are going to close the road? **A.** We don't have to sign, gate or berm the roads, however for the most part we sign all the roads. It depends on the road how we close it. The roads have to have a Road Closure CFR sign but we have no way of enforcing our closed roads. With just signs, people go around a lot of signs come hunting season. **Q.** What about the vegetation on the roads? Just grass? **A.** No there are trees on many of the roads. We need to revitalize our forest and closing the forest up is just going to keep us from accomplishing this. Ranching is severely limited because nothing to eat out there.

Alec Oliver: **Q.** What is the process involved in a decommissioned road? **A.** In the past it meant pulling up culverts, ripping up 25-50 feet to make it look not like a road. So the roads we are suggesting closed in this project are already closed naturally, this is just on paper.

- One of the frustrations I have is lack of permittee knowledge. **A.** We send a letter to all permittees within the project area. We send scoping to all permittees with an allotment in the project. You should have been sent something in the mail. **Q.** We didn't get it. **A.** You should have received a scoping package.
- **Q.** On the road closures – only 150 ft off the road for firewood? **A.** One thing we can do is seasonal closures – but we did not get any input from the collaborative. But we can seasonally close/ open roads.
- **Q.** What happens if a hunter sees us on a closed road that we have access to as a permittee? **A.** I don't see this as being a problem. But if a hunter doesn't know that and he keeps sending in information about us and it will mess with our future permits.
- Lori – Joe (FS Range) was supposed to communicate to the permittee. Permittees were not contacted.

JC Oliver: I just want to see the forest used, saving it for what I don't know.

Karen Coulter:

- For the roads I am a little confused. There is confusion about status of roads and current. I am supportive of road closures and decommissioning.
- I want to thank the FS for a couple of things. Blue Mtns. Biodiversity Project supported more along the lines of Alternative 3 as wildlife and connectivity were our concerns.
- That said I still have concerns. One thing with that came up in the EA that didn't come up in the scoping process is undeveloped lands being logged that have never been logged pending review pending wilderness areas. You could still do non-commercial thinning. **A.** Over 1000 acres dropped in this area.
- Another major concern is the forest service supervisor dropping the larger trees in the aspens. We see a trend in logging larger trees. Our organization's goal is to retain and increase large trees on the landscape and I don't want to see cutting these trees continuing. That would cause our organization to file an objection.
- Even though I went on the riparian tour, you have to meet more of the monitoring objectives. I would like to better protect riparian zones – no skidding across streams.
- Our organization would like logging in old growth and pileated habitat dropped from the project.
- Our organization would like all commercial logging and most of the noncommercial logging in goshawk areas dropped from the project.
- Avoid development of temporary roads.
- Avoiding spring burning before to avoid fledging birds, young mammals – spring reproductive system.
- In sagebrush steppe, don't girdle the trees for snags

- Avoid all equipment use on steep slopes.

**Forest Service:** Regulations require us to document all roadless areas greater than 5000 acres – we have one within this project. Document what we are doing and require the no action alternative – inside the project area there are 7 polygons of 1000 to 5000 acres – because those areas in the future could become wilderness areas. We thought no activity within 5000 acres would be adequate. Aspen extrapolation across the forest: 200 acres on over 600,000 acres is not a trend and we propose to cut the big trees here because there is a need in order to restore the aspens.

**KC:** You can achieve aspen restoration without cutting the trees. **FS.** These are small stands – 3 stands totaling 34 acres. In one stand there are 480 large trees in 17 acres and they are young trees. Without the removal of those trees then the aspens will not survive. 40,000 acres and only 96 acres are in Aspen. **KC.** I can't really do that to be consistent with the mission of my own organization. There are multiple values you have to manage for; you are managing for aspen across most the Malheur already. With the large tree issue this is a competition of values. I have seen that there is a trend among the projects. I can document the trend. And the scale of the loss of big trees is becoming bigger and bigger. I am not opposed to aspen restoration. **FS.** These are the only 3 aspen stands we propose. Roy looked at the stands and marked the trees that are to be left. – Bank stabilization trees, wildlife trees. **KC.** I would like to go out and see these areas. Handout on aspen distributed. **FS.** Just to clarify, there are trees that have been marked to cut. **Trent Seager.** I would be careful to assume that wet sites with conifer in the past have had a higher fire return interval. As you know having some conifers in aspen increases bird diversity but there is a tipping point with too many conifers and they begin using too many resources. What this tipping point is is site specific. But, when you see hundreds of dead aspen lying on the ground that was not previously a conifer stand; it probably has been encroached. It is important to know our wildlife goals and when I was out there the mature big aspen were all topped – dead in the crown, still saw flickers and woodpeckers going in and out of the holes that were left and they were all over in the aspen but not in conifer. I don't think you have to give up all conifers but leaving a high density is really a negative impact. The balance is important for diversity. I would offer for expansion of aspen because it is a disappearing resource on the land. We are going to have to take a tiered treatment to the stand. **FS.** Even if we cut the 21-30" trees there are still 80 trees - 30" trees in the stand about 3/ acre, there are still going to be large trees. **KC.** I am requesting that you send me a list for how to access these stands. **FS.** We have a monitoring protocol. **KC.** Where? **FS.** 2-44 this is new from the preliminary. **KC.** Are you monitoring stream temperatures? **FS.** Yes, put together with Gunnar Carnwath.

**KC.** I received no response to the comments I sent to you. **FS.** We sent our comments back to you; it is 500 pages so I didn't attach to the EA. I sent it to the Fossil address.

**KC.** How many stream crossings are proposed for Alternative 3? **FS.** Don't have stream crossings identified on the ground, if one is needed meets certain criteria and a fish biologist and hydrologist have to go out on the ground to approve. Occasionally you have to cross and they have to be preapproved.

**KC.** Page-3-185 of prelim EA what study cited where 50% of trees were removed without affecting hydrology? **FS.** I believe I responded to you in the written comments.

**KC.** What percent of the area has been surveyed for sensitive plants and why weren't they surveyed to begin with **FS.** We can't survey 40K acres for sensitive plants, but we focus on areas for potential habitat and where activities occur. And effects are to potential habitat.

**KC.** Where would 10% removal of old growth trees 10-15" diameter take place? What species and what circumstances? **FS.** Those trees would be detrimental, i.e. forked top, dangerous trees.

**KC.** Page 10 Decision notice about shading? **FS.** Riparian hardwood is primary shading. We have pre and post monitoring program developed. **KC.** Conifer shading right on the stream is not considered primary? **FS.** No – conifer is secondary. **KC.** Send me any of the science about this issue.

Roy – ROG: replacement old growth areas and DOG: designated old growth areas

Rod Klus: ODFW has been able to attend most of these meetings and Wolf project looks pretty good. Hopefully we can move forward. I am still not fired up about overarching prescribed burns. Mainly because you really don't know how it is going to go on the ground.

Jason McGovern: I have been thinking about your perspective a lot. I am trying to get away from everything being a fuels reduction. When I broke up the blocks that is not all broadcast burnings. Particularly in the north, most of that is burning piles. I still have to call it prescribed fire because it is still fire and putting up smoke.

**RK.** From ODFW perspective it has worked as well as it has and it is give and take. Quick NEPA question? This is a final EA so you can't make decisions? **FS.** We can't modify the decision but we can make small changes, could potentially mix alternatives. **RK.** No way of enforcing road closures? **FS.** The CFR must be signed in order for it to be enforced. In the draft decision notice there are 47 miles from pre-existing NEPA and this document acknowledges that previous NEPA still exists for these roads. These roads will be reclosed as specified in previous decisions.

**RK.** What is CFR? **FS.** With NEPA, it only closes roads but no enforcement authority. We have to have a CFR to close roads and enforce and it just hasn't been done. We prepared one for our district with all the past projects that had been closed and now we have just enforced this. Clarification on the road closures that Theresa Raff signed there was not documentation of NEPA on these roads. Every road on our district had NEPA. But maybe some roads in the other Districts did not have NEPA for the CFR.

We asked for input for certain roads and members of the collaborative to give us feedback. We are not pointing to a certain road.

**Q.** What are the criteria for choosing the roads? **A.** Generally accessed to a timber sale.

- We didn't close any roads to campsites
- In the appendix we list all the reasons for closing the roads mostly spur roads.
- Decommissioned roads are in the creek or less than a ¼ mile long.
- We have to meet road density in the forest plan.
- If it is a spur road that no one needs.
- A duplicate road.
- How is the road closed – always will be a sign and the method to close will depend on needs for future access. We won't know which roads will be closed until the project is completed. I can't really tell you what road will be closed.

**Comment:** Roads closed on paper are not closed on the ground – that is my concern. It is an equity issue for me.

Jim Sproul: Access is critical – on the forest. The forest supervisor in an earlier meeting mentioned he will sign the CFR and then there is an enforcement bill. People from the agency work for our public land. Are you going from an open forest to a closed forest to with designated routes? If we can't access we can't manage it.

Christy Cheyne: We don't close to limit access but it is about resource and wildlife with roads and without roads. It is about restoration – and the decisions are made using our experts and using science. We do need to keep snags. There is a ton of science on roads impacts on wildlife.

Jim Sproul: And also about measuring sediment loads if you are going to quote science. This is lacking. Aren't you operating on the 1990 Forest Plan with amendments? **FS.** Yes.

Jim Campbell: We had the fire and sportsmen at the collaborative to fully discuss the access issue.

Rod Klus: It is not that the road in and of itself is bad it is the number of vehicle trips on it.

Jim Campbell: My concern is lack of site specificity on many of the proposals and I guess we have to trust the FS and monitor. **Josh Giles:** We try to give everyone a little bit of what they want; we weren't trying to screw people. This is your National Forest and we put a lot of time and effort into it. We put time and effort into this and we have a Forest Plan and we pick closures with your input and it wasn't hap hazard.

Karen Coulter: I would prefer roads closed to be decommissioned. Isn't it true the Forest Service doesn't have the resources to keep the roads maintained? These are financial considerations. **Josh Giles:** There are 2 sides to the coin, we have the maps to Dove and please tell us what roads you want to keep open.

Zach Williams: I didn't have time to drive all the roads. It would be much more beneficial for us to tell you what roads we don't want closed. From a future management perspective those grown in roads we might need it in the future for future logging activities.

**Q.** How many of these 10 miles of decommissioned will be used in current logging? **A.** None.

The only objection Iron Triangle might make is decommissioned roads that could be used for future management. If decommissioning take a close look at it.

Trent Seager: What I have to offer on aspen – there is a lot of pressure on aspens because not a lot of forage left. There will still be pressure on the aspen in fall and winter because of high protein. I am interested to see if opening the forest will take the pressure off it. Some wildlife wants meadows and aspens as connectivity. We need to think about an open corridor concept. It would be better if we could keep from creating Aspen zoos – fencing all aspen stands in.

Dan Haak: I have been involved with the entire collaborative process on the Wolf Project and I have listened to the different interests and I have gone out on the field tours. Every single one of us has our own ax to grind. Whether it is aspen, or roads, or wildlife or timber or whatever it is. I heard the term 600,000 acres is that what the area encompasses? Yes, the Emigrant Creek Forest district is about 650,000 acres. I think we can find room for us and the wildlife and the timber. There is room out there for everybody, not to do everything but there is plenty of room. The collaborative process is how we can get there.

When we start worrying about giving up a little something because it is going to become a precedent about losing something else then we get to the point where the roads people are at right now. If we give up a road we never get it back. So we don't want to give up a road whether it makes sense or not because we will never get it back. Karen (Karen Coulter, Blue Mtn Biodiversity Project) doesn't want to give up a 21 inch tree because she will never get it back. The collaborative process is meant to do a little bit of give and take and to start taking court system out of the business of forest management. If we are going to manage this system by court action which is where roads people are headed, where Karen is headed, the foresters are headed then we are all going to be down in San Francisco trying to justify our existences. I am sorry; we can do a better job of managing the South Malheur National Forest right here in this room than we can running to San Francisco or any other court. Until we start to get a little bit of give and take – I looked at these road closures, I put it out to the open road coalition, the people I work with, nobody came up with a hot button issue for the last 18 months. Christy (Christy Cheyne, Emigrant Creek FS Supervisor) went out of her way to put specific meetings on this road issue, maps on the wall, we invited Harney Co. to come and say what they wanted. I don't know what happened in Grant Co. but that is what happened in Harney Co. She went to the effort to do that.

We have got to start getting this into a cooperative arrangement and managing it at a local level or we are going to get micromanaged by a higher up. It is that simple. This whole idea that you can make a forest plan that fits every acre of every forest is BS, there has to be give and take. And just because today it doesn't meet cover standards it will in 3-5 years. By the time you move that cover from this section to that section it is going to be there. The elk and deer are out here right now, in some cases they have been out here, some cases the elk are decreasing, deer increasing and vice versa. It is all give and take. We have to understand that this is a dynamic system; we are not going to go out there on this 40,000 acre project and accomplish a whole hell of a lot that is not going to be different in 20 years. It is like the difference between a good haircut and a bad haircut – about 3 weeks. If we start fighting over a single tree or a single road segment we are never going to get anywhere except produce 500 page documents that will mean a thing. It is a waste of good trees.

The collaborative effort, and I have been involved in it in several different areas, and it never fails, for example the South Steens Allotment – worked on that project for 2 years and the last minute an outside entity comes in and goes we don't like what you are doing, we weren't part of the collaborative, and we are going to court. You put in all the effort and energy and then at the last minute they come out of the woodwork and they want to change everything and they change it by going to court. And I am sorry we go down that road every single time and everybody loses and we get nothing.

Karen Coulter: Please provide me with a draft sale map of Dove project.

#### **Summer meeting schedule:**

- **Tuesday, June 16, - Meeting to gather public input re NF Access management under the revised forest plan. 6 – 9 pm – Harney County Senior Center**
- **Monday, June 29, – Tour of Flat project**
- **Tuesday, July 14, - Meeting to gather public input re Rate of Restoration under the revised forest plan. 6 – 9 pm. – Harney County Community Center Chamber of Commerce**
- **Monday, July 27, – HCRC meeting**
- **Tuesday, Aug 18, – Meeting to gather public input re Livestock Grazing on the MNF re revised Forest plan 6 - 9 pm – Harney County Community Center Chamber of Commerce**
- **Monday, Aug 24, – HCRC meeting**

#### **Final thoughts on today's meeting**

- Not sure I had any expectations, good representation.
- In a scoping meeting we don't have anything to look at to see if you did your job or not – if there was a better process where we would know what you are doing. But they weren't there and now we have a decision and nowhere to go. Now, we don't have the ability. That is the only way we can affect the final decision is to go to court. There is nothing you can do to get people to get to your scoping meeting. You didn't show up at the scoping meeting so you don't have anything to say.
- Christy Cheyne: Take aways for FS.
  - Grant Co. inclusiveness – How to incorporate you into our meetings for Dove project? Looking at an August/ September for an Access meeting.
  - Scoping packages must get to permittees in boundaries and adjacent boundaries.
  - Communication with our permittees needs to improve and include with our range folks is included.
  - Looking at why we are decommissioning roads – people want to know this.
  - Aspen stands seen by Karen – Whatever we can do to look at projects in the field.
  - Riparian treatment – personally and professionally loss of hardwoods on this forest is very disheartening.
- Excited to have new members.
- It is not easy to meet the new deadlines with all the interest groups.
- What about meeting at Seneca?