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Elliott State Forest 2005 Annual Operations Plan
Comments from Umpqua Watersheds, Inc.

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Dear Jim Young,

Please consider the following comments on the Elliott State Forest 2005 Annual Operation Plans. In summary, clearcutting in young plantations, especially in the long rotation basins, is not allowed by the Elliott's Forest Management Plan or Habitat Conservation Plan. These plans also do not allow you to log the best owl habitat within the home range of the Salander Creek owl pair. Finally, to be in full compliance with the Forest Plan, determination of fish use must be made during high-water flows, not low-flows. These and other issues are discussed fully in our comments below.

1. Clearcutting young stands in Long Rotation Basins:

Young stands in the 240 long-rotation watershed basins cannot be clearcut, including the 38 year old, 82 acre Middle Elk proposed sale in Management Basin 17, a 240-year rotation watershed. The Middle Elk sale should be thinned instead of clearcut.

The Elliott Habitat Conservation Plan (HCP), Table I-6,¹ “Timeline for 240 Year Rotation” outlines that stands 23 to 35 years can be evaluate for thinning, and stands 28 to 45 can be evaluated for a second thinning, and stands 65 to 70 can be reviewed for a third thinning. Stands up to 220 years old can be rethinned “according to density management criteria”. Clearcutting is only allowed on stands over 240 years old in this management basin.

The purpose of long-rotation basins is “to reduce fragmentation and edge effects”.² Clearcutting young stands will increase fragmentation and edge effects over a longer time, not reduce it.

The HCP says, “Management basins with rotation lengths of 160, 200, and 240 years will emphasize.... Protection of biodiversity for mid to late seral species.” Clearcutting forests used by mid seral species (38 year old Middle Elk) is in violation of this mandate. The HCP makes this very clear when it says: “Little or no harvest is planned in basins 1-8 and 17 for the first three decades.”³ This is only decade two, and already ODF proposes to clearcut 82 acres, with even a promise of clearcutting a total of 161 acres in decade two.⁴

The HCP requires that you thin these stands in the long rotation watershed, for good reasons: “...use thinning to reduce stand density and maintain hardwoods, particularly in young stands, prior to occupancy by owls, in order to develop and maintain the structural features of older forest...”⁵ The 2005 AOP needs to explain why no thinning is proposed to meet these goals.

The FMP says that alternative 6 (the one being used) “Places 19% of the Elliott State Forest in reserves, 49% in long rotations, and 32% in intensive management/short rotations.”⁶ But you are doing intensive management in long rotations, which increases the 32% allowed for intensive management, in violation of your FMP.

2. Clearcutting of young stands anywhere:

It is inconsistent with the Elliott Forest Management Plan (FMP) to clearcut young stands anywhere on the Elliott. The FMP says, “Units are selected for regeneration harvesting as

¹ Elliott State Forest Habitat Conservation Plan (HCP). May 1995. page I-14.

² Elliott HCP page IV-48.

³ Elliott HCP page IV-30.

⁴ Middle Elk AOP “...the harvest schedule for basin 7 calls for the clearcutting of 161 acres of age 36-45 year old timber in decade 2 of the Forest Management Plan”.

⁵ Five Year Review for the Elliott Habitat Conservation Plan. ODF. Feb. 18, 2002. page 19.

⁶ Elliott State Forest Management Plan (FMP). 1993. Page VI-4

they reach a designated rotation age.”⁷ In defiance of the FMP, the ODF is proposing to clearcut the following young stands:

- * Curvy Pucket sale is in a 160 year rotation basin and is only 40 years old.
- * Middle Elk sale is in a 240 year rotation basin and is only 38 years old.
- * Double Barrell is in a 160 year rotation basin and is only a 40 year old stand.
- * Ash Valley School sale is in an 80 year rotation basin and is only 65 years old.

The FMP is clear, in at least four places, that ODF cannot clearcut these young forests

i. Table I-1 in the HCP,⁸ “Timeline for 75 Year Rotation”, says that units suitable for thinning can be proposed for sale as young as 25 years old. Stands 27-35 years old are “thinned with snag creation, group selection, and underplanting”. Stands 38 to 45 years old “are monitored for suitability for a second thinning.” Stands 40-50 “are re-thinned with snag creation, group selection and underplanting.” Only at 75 years is “regeneration harvest” allowed in the short rotation watersheds.

ii. The FMP says that “harvest volume is maximized if harvest ages are set at the “culmination of mean annual increment,” or CMAI... CMAI for stands on the Elliott State Forest ranges from approximately age 100 to age 150...”⁹. Incredibly, the 2005 AOPs are saying exactly the opposite, that thinning 40 year old stands before CMAI “would cause a significant economic loss due to the increased logging costs both at the time of thinning and clearcutting (due to lower volumes per acre).”¹⁰ The AOPs should have explained this direct contradiction with the Forest Management Plan.

iii. The FMP says: “Commercial thinning is generally carried out in stands from 30 to 60 years of age, though older stands will require additional thinning if carried to an old rotation age.”¹¹

iv. The FMP says “a no-thinning strategy is undesirable and would be avoided if possible.” It says that if stands are geographically too difficult to thin, they should be precommercially thinned to a lower density or reduce stocking through a non-commercial thinning. If the non-commercial thinning is implemented, “Regeneration harvest would be done on the same rotation timelines that would be used for stands commercially thinned with conventional methods.”¹² Nowhere does the FMP allow regeneration harvest of a stand that should be scheduled for thinning instead.

It is clear that thinning 40 year old stands is not in compliance with the Elliott’s Forest Management Plan. These stands must be dropped from the 2005 AOP, or their prescription changed to thinning.

⁷ Elliott FMP page J-1.

⁸ Elliott HCP page I-3,4.

⁹ Elliott FMP page VI-41.

¹⁰ Coos District 2005 Annual Operations Plan Introduction. Page 6.

¹¹ Elliott FMP page VI-42.

¹² Elliott FMP page J-9.

3. More Thinning is Needed in 2005 AOP:

Not one acre of thinning is in the 2005 AOP because Coos District is anticipating a new FMP and expects the new plan to “require some of these stands to be clearcut in the next decade”¹³. This is not a good excuse to eliminate needed and required thinning, especially to eliminate all thinning without an analysis of what needs to be thinned under the current FMP. How many acres of managed plantations over 30 years old are there and in which basins? The October 2003 watershed analysis should have given us this information and you should have used it to determine what to thin.

Instead, you have decided to implement a future FMP that the public has not even seen, much less commented on. Apparently, this FMP starts the destructive practice of very short rotation forestry. This is a bad idea, and when we submit comments on the FMP we will speak against it. But we can’t argue against something now that isn’t even public.

The CURRENT Forest Management Plan is what the FY 2005 AOPs were developed under and should be running under¹⁴, and the current plan calls for these young plantations to be thinned (see #2 above).

4. Salander Top timber sale:

The Salander Top sale is not consistent with the HCP, or its 5-year review recommendations, because portions “are located with the home range of the Salander Creek Spotted owl pair.”¹⁵

The Salander Creek owl site was identified as one of the most productive owl sites on the Elliott State Forest,¹⁶ but was unprotected in a short-rotation watershed basin¹⁷. The scientist recommended that no cutting be proposed in this owl’s home range because it was mistakenly not included in a Habitat Conservation Area (HCA) reserve¹⁸. The NSO study confirms that “Preserving the most productive spotted owl territories and maintaining connectivity among spotted owl sites on ESF and on adjacent lands may help stabilize the population and increase the number of productive owl pairs at ESF.”¹⁹

ODF’s own HCP review is clear: “Maintain existing spotted owl nest sites with any reproductive success, in particular... Salander Creek... avoid tree harvest in core use

¹³ Coos District 2005 Annual Operations Plan Introduction. Page 6.

¹⁴ ESF FMP page VIII-1: “This plan will be in effect until it is replaced by a new plan.”

¹⁵ Salander Top 2005 AOP Report.

¹⁶ Five Year Review for the Elliott Habitat Conservation Plan. ODF. Feb. 18, 2002. page 17, 18, 25.

¹⁷ Five Year Review for the Elliott Habitat Conservation Plan. page 17. “Roberts and Salander Creek owl sites do not receive any protection from reserves in the HCP”.

¹⁸ Five Year Review for the Elliott Habitat Conservation Plan. page 25. “The research and survey information also suggests that the configuration of the HCAs is currently not very effective for protecting known sensitive species sites.”

¹⁹ Northern Spotted Owl Research on ODF Lands. July 18, 2000. page 29.

areas, high use areas or areas of older forest within owl ranges; maintain areas of mature and old forest that are used by spotted owls...”²⁰

But the 2005 AOP ignored all of this information, and simply states that the (misplaced) HCA adjoins the Salander Top sale and areas of the actual home range of the Salander Creek owl will be clearcut. The ODF must not ignore these sensible recommendations, especially when there are other places you could log instead. If it is not your intention to purposely weaken the Salander Creek Owl, you should explain why the recommendations of the HCP 5-year review are not relevant.

The 2000 NSO study also documented how the Salander Creek Owl used the Lone Surprise timber sale area²¹, clearcut last year near the Salander Top sale. Lone Surprise had the most valuable owl habitat on the entire Elliott State Forest: rare, pre-1868-fire old growth. Five and six foot diameter trees 250 to 350 years old were sold. Even a very rare 500 year-old tree was cut down. This forest was cut using the excuse that it wasn't officially part of the Salander Creek owl home range.

What is the excuse now? You are going to clearcut the best owl habitat left, within the officially designated home range of the Salander Creek Owl, your most valuable owl, and directly against your own recommendations for protecting it.

Even though the Salander Creek Owl pair is depending on your good will because of the mis-placed HCP, ODF is clearly **not complying with the following HCP regulation**²² for timber sale planning:

“Harvest scheduling will defer stands that meet the following criteria as long as suitable substitute areas are available.

* Stands with spotted owl occupancy.

* Stands in the 100 year age class or older that meet medium to high quality habitat standards for marbled murrelet nesting habitat.

* Stands closest to high quality marbled murrelet potential nesting habitat, northern spotted owl activity centers, and HCAs.”

In spite of the HCP 5-year review recommendations, FY 2003, 2004 and 2005 AOPs logged in and next to the forests that the Salander Creek owl used. In fact, between five sales over these three years, 341 acres²³ of the very oldest and best nesting Owl habitat will be clearcut in the south east portion of the Elliott, in and around the Salander Creek Owl Site. ODF must address this problem and the cumulative effects to this owl pair.

²⁰ Five Year Review for the Elliott Habitat Conservation Plan. page 18.

²¹ Northern Spotted Owl Research on ODF Lands. July 18, 2000. Appendix B, page 29, figure 3. Also see page 22: “The Salander Creek Female spent several weeks in the... Surprise Creek area...”

²² Elliott State Forest HCP. Page IV-41.

²³ Cedar Glenn 76 acres; Cedar Top 36 acres; Lone Surprise 56 acres; Howell Ridge 71 acres; Salander Top 102 acres.

5. Northern Spotted Owl

Last year we commented on the drastic decline of the Northern Spotted Owl (NSO) on the Elliott State Forest since the adoption of the Habitat Conservation Plan, as detailed by the NSO study completed in 2000²⁴ and the HCP 5-year review. Both these documents expressed “concern” over the unexpected rate of decline. In brief, between 1993 and 1998 the total number of NSO territories decreased by 48%, the number of pair sites decreased by 54%²⁵ and density of owls declined by 57%.²⁶ The Elliott went from about 45 owls in 1993 to only 20 owls in 1998. The scientist warned that “the declining adult survival rates are of concern, and these rates must stabilize over time for the population to be stationary... the declining trend in density and adult survival are cause for concern....”²⁷

But the response to our comments last year simply states that this rate of decline “was anticipated and taken into consideration in the development of the Elliott HCP.”²⁸ We couldn’t find that assumption detailed in the HCP, the 2000 NSO study, or the HCP 5-year review. Could you please tell us what page numbers to look on?

The 2003 owl study shows continued problems. There are only 11 pairs left on the Elliott, and not one of them nested last summer. The barred owl population is dramatically increasing. The ODF should be more concerned about Northern Spotted Owls and do everything possible to try to save this species locally. That should include strictly following the HCP requirements and its 5-year review recommendations. If the plan or recommendations are not followed, as it appears they are not, the AOP should have disclosed and explained the deviation. The ODF should also take into consideration the new information on barred owls, and take extra precautions against logging some of the best spotted owl habitat close to some of the best spotted owls on the forest.

6. Green Tree Retention

In the past, the Green Tree Retention (GTR) in mature forest clearcuts have reserved trees two small and not represented of the cut trees. For instance, in the Lone Surprise timber sale, large old-growth trees were cut, but within the old-growth groves, not one of the older trees was retained for GTR. I counted rings on two of the 5’ diameter old-growth Douglas fir. One was 275 years old and the other was 360 years old. In a piece of wood left on the landing (a firewood round) I counted about 500 rings, indicating there were some very rare, old trees cut. This could have been a western Hemlock, about 2.5 feet across where I counted it (but I never found its stump so it could be much older).

It is incredibly sad that you cut down the rare tree in the Elliott that was 500 years old. It is also sad that the GTR retention scattered within the clearcut were young trees, most under 12” diameter. One reason to retain green trees is to preserve some genetic legacy

²⁴ Northern Spotted Owl (NSO) Research on Oregon Department of Forestry Lands. July 18, 2000.

²⁵ NSO Research on ODF Lands. July 18, 2000. Appendix A. page 25.

²⁶ NSO Research on ODF Lands. July 18, 2000. Appendix A. page 1.

²⁷ NSO Research on ODF Lands. July 18, 2000. Appendix A. page 26.

²⁸ Response to AOP 04 comments. Page 15.

and structure of the old forest to add value to the young regenerating forest. We were bitter about the old-growth logging to begin with, but its even worse that the green trees left were stingy. In public forests, you don't have to be that stingy.

For the 2005 AOP, you should comply with the HCP definition of Green Tree Retention: "to provide habitat for a variety of species and to aid in the development of multi-story canopy stands that can be used by northern spotted owls and other cavity nesting birds."²⁹ This means that the oldest and biggest trees need to be reserved because you have an abundance of younger trees represented in the clearcut.

We noticed that for the first time in the AOPs you gave a "Target" for GTR in Table 2 of the Pre-Operations Report. It indicated that you will leave the average DBH and Age of the original stand. While this is an improvement over what we saw in Lone Surprise, we don't understand why you wouldn't want to leave the biggest and oldest of the original stand. This would best meet the GTR purpose in the HCP. In any case, you should never again cut any more 500 year old trees in your timber sales.

7. Herbicides:

The abundant use of herbicides on the forest, year after year, is a cause for concern, especially with no monitoring of site specific effects, no monitoring of correct application technique, no monitoring of potential errors, no monitoring of cumulative effects, no monitoring of anything. Especially if no one is looking, contractor shortcuts happen.

Page 5-24 of the watersheds analysis says: "no stream monitoring of herbicides has been conducted on the Forest."³⁰ One of the top three recommendations in the watershed analysis is: "To confirm that application methods are effective at keeping herbicides out of streams, the Forest should monitor herbicide concentrations for several spray operations."³¹ The FY 2005 AOP reports or summaries said nothing about implementing this recommendation. This should be corrected.

ODF is no longer allowed to use 2,4-D or triclopyr or 54 other chemicals in the Elliott under a court-ordered review. The AOP should specify how ODF plans to comply with this ruling. What other chemicals, if any, will be used instead?

The AOPs did not discuss how herbicides would be kept out of near by residential air and water, including addressing the problem of herbicide drift. Herbicides are usually applied in the morning, at the same time as children are outside waiting for the school bus. Children, nursing mothers and unborn fetuses could be affected to a larger degree by even minute amounts of herbicides if the contact is at crucial times in the development of the child's brain or hormone system.³² Even if the ODF does not believe this research,

²⁹ Elliott HCP page IV-39.

³⁰ ESF Watershed Analysis. October 2003. page 5-24

³¹ ESF Watershed Analysis. October 2003. page 11-12

³² Our Stolen Future. Theo Colborn et al. Penguin Books. 1996. Also see:
<http://www.pesticide.org/UnthinkableRisk.html>

you should take extra precautions with the 2005 sales that clearcut right next to several residential communities.

8. Ash Valley School timber sale:

The ODF should be especially careful with the Ash Valley School timber sale, which clearcuts next to the Ash Valley School community building and within a “scenic production management area”.³³ Herbicide spraying should not be done when the building is in use. Aerial spraying could not only drift during spraying, it could also evaporate if the afternoon turns hot, and continue to drift.

The scenic values of this forest should be more fully protected since it is in a “Scenic Management Area” just south of Loon Lake. The plan to leave a tiny beauty strip along the highway of only 50 feet isn’t sufficient because the hillside and mountain top is clearly visible from the surrounding area. The young forest in the unit should be thinned, not clearcut.

Another problem with this sale: “Indications of slope instability and spring flow were noted on the steep slopes immediately above Carlson road. There are three structures of concern along Carlson road, two are full-time residences and one appears to be a part-time recreational dwelling.”³⁴ The ODF must notify these people of the plans to clearcut above their homes. Even though “Harvest exclusion areas on the steep slopes above the two western structures will be delineated on the ground”, the exclusion areas could not be adequate. The landslide in Hubbard Creek that killed four people in 1996 traveled over a half mile. It makes more sense to not clearcut this forest and use it for other resource values instead.

Please reconsider clearcutting this scenic, young, native forest, right across from a community building and within a domestic water supply watershed. This is an excellent opportunity to use this forest to educate children on the benefits of forests for wildlife, clean air and clean water. A hiking trail in this forest, contributing to the public’s education and the community resources, is far more appropriate than a clearcut.

9. Logging in domestic water-use watersheds:

At least two of the sales proposed for 2005 have springs that private landowners depend on for household water, including their drinking water.³⁵ The Ash Valley School watershed is described above. The other, Brown Ridge Corners timber sale, has “two small areas of instability and springs from which the northernmost residence draws drinking water is located directly behind the residence.” Excluding this area from the unit could not be adequate mitigation. The AOP reports should have considered the short-term

³³ Ash Valley School AOP Report. Page 6.

³⁴ Ash Valley School AOP Report. Page 6.

³⁵ Brown Ridge Corners and Ash Valley School timber sales

effects of herbicide spraying and the long-term effects of clearcutting on the quantity and quality of the drinking water supply.

The AOP reports should have considered how clearcutting the watershed that feeds these springs would affect the quantity of water available to private landowners over time. The Elliott FMP says that “the forest’s clean water... also produce important community-based revenues and income.”³⁶ But the financial summaries of the 2005 AOP failed to consider this economic reduction in the quantity and quality of clean water.

In the Ash Valley sale, only a 100 foot buffer will be left around people’s water storage tanks.³⁷ But the trees in the buffer are taller than 100 feet. Blow down will likely occur on the edge of the clearcut buffer. This tiny buffer could actually hurt the water tanks instead of protecting them. ODF should widen the buffer to fully protect the tanks from blow down, as well as protect the forest soils that feeds this family their water. Ash Valley sale should not be clearcut.

10. Increasing Fire Danger to Residential Neighborhoods:

The AOP reports should have disclosed how logging next to residential neighborhoods increases the fire danger to those homes. After the forest fires of 2002 in the Umpqua National Forest, the Forest Service concluded that young plantations are more of a fire hazard than older forests.

“The young vegetation, including plantations, experienced a disproportionately high amount of stand-replacement mortality caused by crown fires as compared to older, unmanaged forests... Plantations had a tendency to increase the rate of fire spread and increased the overall area of stand-replacement fire effects by spreading to neighboring stands.”³⁸

In addition to the fire hazard of young plantations, logging slash also increases the fire danger. There are many private land clearcuts in the area that also raises the fire danger, but the public does not have any input into private land clearcuts. Public forests, such as the Elliott, therefore, must pay even greater attention to the public fire hazard from young plantations and logging slash next to rural communities.

Thinning these young forests instead of clearcutting them would reduce the fire danger, not increase it. Thinned plantations and older forests resist spreading fire. When the ODF proposes logging next to rural residential neighborhoods, the AOP reports should at least acknowledge the changed fire danger to these neighborhoods.

Considering all the negative effects to Ash Valley residents, from increased herbicide exposure, to increased fire danger, to impacts to domestic water supplies, the ODF did a poor job documenting these impacts in the AOP reports. Instead, the ODF should fully

³⁶ ESF FMP. Page VII-3.

³⁷ Ash Valley School AOP. Page 6.

³⁸ Wildfire Effects Evaluation Project. Umpqua National Forest. March 2003. page 4.

protect these communities from clearcut logging on public forests by thinning the forests in their neighborhoods, instead of clearcutting.

11. Recreation and Special Forest Products

The amount of recreation budgeted on the Elliott is pitiful. \$5,000³⁹ is all the Elliott will get, out of \$9.1 million in profits from this years logging income. There is not even one mile of hiking trail on the Elliott, in spite of some beautiful potential hiking areas. Why? Across from the Ash Valley School, a hiking trail should be built in the forest instead of clearcutting it. Along the unroaded side of the Millicoma River there should be a hiking trail. Out-houses are needed in the one campground on the Millicoma River. The ODF should not be discouraging recreation in this forest – the oldest and most beautiful of all the state forests.

Likewise, Special Forest Products is not mentioned in the AOP. When I was in the forest in March, I saw a large pick-up load of salal being driven off the forest by three Latino workers. The Elliott was required to develop a marketing plan for special forest products before 1994.⁴⁰ Did you? Why aren't the revenues included in the AOP?

12. Fish Use Determination:

The ODF is not properly determining the fish-type of streams. ODF has incorrectly made the determination for fish presence during “summer low flow period”. For instance, various AOP reports say: “All drainages associated with the sale area were field surveyed during the 2003 summer low flow period to make final determination of stream type.”⁴¹

Fish could use streams during the spring high water flow, and not use them during the summer low flow. The Elliott Forest Management Plan confirms this: “Research shows that 15-25% of coho salmon production in a watershed may be produced by areas that are only intermittently covered by water (Bierly 1992)”⁴².

The NW riparian strategy, used in the Elliott this year, does not give any management direction for seasonal type F streams. You must use the riparian strategy with the greatest protection. **If fish use intermittent streams, they must be given the full riparian buffers** required in the Elliott Forest Management Plan on page V-34:35 for “Fish-bearing intermittent streams” (100 or 75 feet).

In summary: You must survey for fish during high water flows, not low water flows. If fish are found during high water flows in intermittent streams, you must apply the biggest buffer of either the Elliott FMP or the NW Riparian Strategy. The AOP for sales must

³⁹ Recreation Management Summary, 1-24-04.

⁴⁰ Elliott FMP. Page VI-40.

⁴¹ Lone Deer 2005 AOP page 4.

⁴² Elliott State Forest Management Plan. 12/93. page IIIk-15.

fully explain the technique used for fish determination, the Riparian Strategy used, and the no-cut buffer width being afforded each stream within the sale.

13. Protecting Fish

The AOPs do not adequately protect endangered coastal Coho salmon and other fish, like native cutthroat trout, in the Elliott State Forest. All the following units have a clearcut harvest prescription, even though the ODF has determined that clearcutting will double the chance of accelerating a landslide.⁴³

* The Lone Deer sale, area IV, has “high landslide hazard locations”, and has “channel and hillslope geometry conducive for debris flow delivery and deposition at the confluence with Deer Creek”⁴⁴, which supports endangered coho downstream. The watershed analysis shows road-related landslides that occurred just in 1997-1998 in the middle of Area III that entered the stream.⁴⁵

* The Otter Creek sale borders Otter Creek, a fish bearing stream. Otter Creek Area 1 is a “high landslide hazard location” and “debris flows are likely to deliver to Otter Creek”.⁴⁶

* Curvy Puckett is adjacent to a fish bearing stream that flows into Mill Creek. “High landslide hazard locations are present” and has channels and hillslope geometry “conducive for debris flow delivery to Puckett Creek”. Puckett Creek has already experienced significant debris flows from past storms. The watershed analysis shows additional road-related landslides that occurred just in 1997-1998 on the western edge of Curvy Puckett proposed unit – about 9 of them.⁴⁷

* Western Sullivan has “high landslide hazard locations.” A large flow would likely travel across the road, flow down the tributary and deposit into Sullivan Creek.”⁴⁸

* Middle Elk has all four units bordering portions of Elk Creek, a fish bearing stream. Portions of the units have high landslide hazard locations. A debris flow deposit is already present in the tributary between areas I and II.⁴⁹ The watershed analysis shows another road-related landslide occurring on the edge of area II⁵⁰. Especially since this is a long-rotation watershed basin, it is irresponsible of ODF to clearcut above a salmon stream on known hazard slopes.

* Elkhorn Ridge No. 6 has high landslide hazard locations and the channel geometry is “conducive for debris flow transport” with deposition upstream from fish habitat.

⁴³ Oregon Department of Forestry Storm Impacts and Landslides of 1996: Final Report. June 1999.

⁴⁴ Lone Deer AOP page 6.

⁴⁵ Elliott State Forest Watershed Analysis. Map 6.2.

⁴⁶ Otter Creek Overlook AOP Report page 6.

⁴⁷ Elliott State Forest Watershed Analysis. Map 6.2.

⁴⁸ Western Sullivan AOP report. Page 6.

⁴⁹ Middle Elk AOP Report. Page 6.

⁵⁰ Elliott State Forest Watershed Analysis. Map 6.2.

* Kelly Fish Overlook borders Fish Creek, containing fish, and has high landslide hazard locations.

* Salander Top borders unsurveyed streams that could contain fish. The units contain high landslide hazard locations and the unsurveyed tributaries flowing from the sale are “potential debris torrent tracks”.

* Dry Stulls, area 1, is about 500 feet upstream from a fish bearing tributary to West Fork Millicoma river. Within the unit, two tributaries are “potential debris torrent tracks” from the unit that contains “high landslide hazard locations”. “Delivery to West Fork Millicoma is possible for a large debris torrent”.

* Ash Valley School timber sale has unsurveyed tributaries so fish status for native cutthroat trout is still unknown. High landslide hazard locations are present and “Indications of slope instability and spring flow were noted on the steep slopes immediately above Carlson road” and three human residences.

* Brown Ridge has unknown fish use streams flowing into Lake Creek supporting native cutthroat trout. “A small bowl shaped feature with a very steep scarp, two small areas of instability and springs from which the northern most residence draws drinking water is located directly behind the residence.”⁵¹ The watershed analysis also shows two road related landslides that entered the stream from the western edge of area 2.⁵²

* Double Barrell sale has unknown fish use in the tributary in area 2, and it is a potential debris torrent track. The sale contains high landslide hazard locations.

These potential problems for fish should be eliminated.

14. Prison Labor:

If ODF paid fair wages, clearcutting would not be so cost effective and more thinning could be done instead. But prison labor is used for replanting, paying workers only about \$2.00 a day⁵³ for grueling and brutal work during cold and wet weather. The prisoners could also be forced to work with dangerous chemicals in the “hack and squirt” herbicide applications, as well as forced to work on clearcut units that have been aerial sprayed with pesticides. This repeated exposure could be especially dangerous for men who plan to father children. Up to 30 men a day (in three 10-man work crews) work on the Elliott year around. During the spring planting, this increases to 40 men a day.⁵⁴

⁵¹ Brown Ridge AOP report. Page 6.

⁵² Elliott State Forest Watershed Analysis. Map 6.2.

⁵³ Phone conversation with Roger Schliecher, Public Information Officer, Shutter Creek Correctional Institution. 541-756-6666 ex 230. 4/2/2004

⁵⁴ id.

This virtual slave labor is required by the Elliott Forest Management Plan, which says that the Coos district:

“cooperates with the Oregon Department of Corrections in the daily use of 50 minimum security inmates from the Shutter Creek Correctional Institution, which is located north of Coos Bay... The inmates accomplish nearly all the major labor-intensive forest management field work for the forest... The overall program costs are somewhat less than other methods for accomplishment of this work. The biggest advantage of the inmate program, however, is that it offers complete control of the labor force. This control allows flexibility in work assignments, and full control over the quality and results of the work, resulting in an effective, efficient program.”⁵⁵

This control, forcing people to do hard labor for \$2 a day, *is* an efficient program. With virtual slave labor, the gross revenue for the 2005 logging plan is \$9.3 million, with only \$192,000 in expenses, giving the state \$9.1 million in profits.⁵⁶

Without this labor, thinning young stands and not clearcutting until the stands reach the CMAI, would be much more profitable than clearcutting young stands. Therefore, the use of slave-labor is not only inhumane, it contributes to poor forestry practices.⁵⁷ It also contributes to the unemployment rate of forestry workers in the coastal communities.

15. Errors:

A. The “Timber Harvest Operations Financial Summary” table lists “Volume” as MMBF. However, the timber sale volumes appear to be listed as MBF. This should be corrected. I assume you don’t really mean you will sell a total of 24,339 mmbf for the 2005 harvest plan.

B. Table 2 in each Pre Operations Report is inconsistent. Some show net acres and some show gross acres (as defined in Table 1 of the same report). For instance, Western Sullivan, Elkhorn Ridge No. 6, Salander Top, Dry Stulls, and Brown Ridge Corners, Pre-Operations Report show gross, not net acres in table two, while the others show net acres. For those that show gross acres, the footnote makes no sense, that the acres “exclude interior roads, streams buffers, reserve areas, etc.” These AOPs must be corrected in revised Pre-Operations reports, as well as in any summaries the error could have been carried over to.

C. Acres allowed to be clearcut in the matrix is inaccurate. The AOP summary states that the ODF is allowed to clearcut “510 acres per year”⁵⁸ on the Elliott during the second

⁵⁵ Elliott FMP VII-2.

⁵⁶ Coos District 2005 Annual Operations Plan Introduction. Page 6.

⁵⁷ 40-year rotation forestry is bad for the environment.

⁵⁸ Coos 2005 AOP Summary. February 27, 2005. page 5.

decade of the HCP, referring to the table on page III-17 of the HCP, using the “Alternative A” line. This is an error. The table on page III-17 has no hard figures. Nowhere does it say “510 acres”. In fact, the table shows that 500 acres is not reached for alternative A until about 2008. It also shows acres clearcut and thinned, not just clearcut.

There is another table on page IV-22 of the HCP that gives the acres of Owl Habitat (80+ years) allowed to be cut annually under the plan. This shows that in 2003 the acres are about 475, and in 2005 the acres are even less, continuing downward to 2033. Page IV-20 says: “An average of 470 acres of 80+ forests will be harvested per year in the first decade, with no more than 520 acres harvested in any one year. The total harvest of 80+ forest for six decades is 22,075 acres.”⁵⁹ This is an average of 368 acres of forests, over 80 years old, cut per year. If you cut 520 acres in one year, or 510 acres this year, you have to cut less in other years. Please correct this error in the AOP summary.

D. Clearcutting is good for endangered fish? Clearcutting has generally been found to negatively affect salmon because it contributes to peak flow increases in the winter, lower summer flows in the summer, and lethal sediment from in-unit and road-related landslides. However, the recent Elliott State Forest watershed analysis has some remarkable new information, that clearcutting is actually good for fish. It says:

Research on Pacific Northwest streams indicates that clearcut harvesting increases summer flows rather than decreases flow... increases in summer flow due to tree removal can be viewed as a benefit to fish and aquatic amphibians.⁶⁰

Unfortunately, the watershed analysis did not cite this remarkable research. Could you please send us a copy, or send us a link to it on the internet. Please use the address at the end of these comments. Were the conclusions based on large watershed basins or small ones? Were these conclusions based on years of data, or just one year after the clearcut? If there is just one year water increase, or if the increase is only useful if there are water reservoirs, the ODF should correct the watershed analysis with this information.

E. Past inconsistencies still need explanations. Last year the *4200 Wedges Timber Sale* clearcut⁶¹ directly within the heart of the Benson Creek Spotted Owl Site in the longest rotation watershed, even though recommendations from the 2000 NSO study was to not harvest in core areas.⁶² The 4200 Wedges Sale also clearcut the exact site that the Murphy Creek female spotted owl was observed in during the Spotted Owl Study.⁶³ The 4200 Wedges Timber Sale clearcut one of the most protected places on the Elliott for Spotted Owls, logging trees up to 50” DBH. We have previously asked for an explanation of how the Owl HCP allowed this. Explanations were given for how the Marbled Murrelet

⁵⁹ Elliott HCP page IV-20.

⁶⁰ Elliott State Forest Watershed Analysis. October 1993. page xx

⁶¹ Advertised on September 18, 2002. Regeneration harvest of 7 acres, 327 mbf, average DBH 24”, up to DBH 55”.

⁶² NSO Research on ODF lands. 7/18/00. Appendix B. page 46.

⁶³ NSO Research on ODF Lands. Appendix B. Home Range and habitat use. Page 39. See Start star for September 1997. This is exactly in Area II in the 4200 Wedges Timber Sale.

surveys were bypassed, but no explanations are available for how the Owl HCP was apparently violated. Even the revised FY 2003 AOP Summary that included the new 4200 Wedges sale said: “All planned regeneration harvest units are located in the 80-year rotation basins”.⁶⁴ Wrong. This sale was in a 240-year rotation basin, not 80-year. One ODF memo said the sale was needed to: “improve access to about 50 acres of ODF timber.”⁶⁵ Why would ODF want to improve access to “timber” in a 240-year rotation basin that they can’t log? Last year we asked the ODF to please explain how this error happened but we didn’t receive a response. Perhaps this year an explanation will be forthcoming.

Conclusion:

Please consider these comments and change your 2005 Annual Operating Plan. Please correct the clerical errors and please revise the proposals that are inconsistent with your Forest Management Plan and Habitat Conservation Plan. Please notify us when you respond to these comments. If you post something in an obscure place on your web site, we won’t know about it. **Please tell us when you post a response**, and the specific web address of the response. Or, feel free to respond directly to us through the contact information below. Also, **please tell us when you open comments** for next years Annual Operating Plans for the Elliott. Because your web site was not working and because you did not notify us (either by letter or email), we were not aware you were asking for public comments on the Elliott’s 2005 AOPs until we called you to inquire about it. In the future (if you want public input), please notify us directly when the public comment period begins. Thank you.

Sincerely

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⁶⁴ Coos District FY 2003 AOP Summary. Revised 7/12/02. page 3.

⁶⁵ Summary of modifications to the FY 2003 AOP since its approval. From Greg Kreimeyer, ADF to James Young, District Forester. 9/6/02.