

2007 AOP Public Comments and Responses

Coos District

Proposed Management Prescription

COMMENT: The AOP Summary, Table 1 page 4, states that the Elliott's 2007 AOP objective is 533 Conifer Clearcut acres. Yet the attached summary tables says net clearcut acres are 477. Which figure is correct for FY2007, 533 or 477 clearcut acres? Or, is this the difference between gross and net acres?

RESPONSE: Elliott's 2007 AOP objective is 533 acres. The 477 acres in the summary table reflects the proposed plan prior to the completion of marbled murrelet surveys. The results of the murrelet surveys may have a variety effects on the proposed timber sale units, necessitating the use of alternate sales. The acreage of the completed AOP will be known in the fall after murrelet survey results are analyzed.

COMMENT: The retention trees for the 2007 sales might be ineffective and inadequate. We have witnessed retention tree blow-down on unstable soils in recent timber sales. For instance, in Salander Top, harvested just this year, many of the retention trees in Area 1 have blown over (see attached photos) or knocked over, even before yarding had finished. Trees uphill of road 1000 tipped over, across the road, and into the riparian management area beneath road 1000, knocking over most of the retention trees there (as shown on the timber sale notice map) that were protecting the tributary into Bickford Creek. According to the 3/1/04 pre-operations report for Salander Top, 3 trees per acre should have been left in Area 1. The ODF should estimate how many are actually left since the blow-down. The ODF should analyze what went wrong in Salander Top so that future placement of retention trees in the 2007 sales can be more effective.

RESPONSE: The trees addressed in Salander Top were not in the Green Tree Retention (GTR) area. The cutters left a strip of alder and hemlock along the 1000 road to cut last. These trees were caught in the windstorm and fell across the 1000 road. The portions of the trees that fell into the buffer were left in the buffer. GTR are selected in areas to try to minimize blowdown. Although the blowdown that was witnessed, was not GTR, it is expected that some GTR will blow down and contribute to in-unit down wood.

COMMENT: The Little Salander sale and Mill Creek Bridge are within the Scenic Production land classification. Scenic Production includes areas that “need harvest modifications to protect or enhance scenic values.” Both sales are Scenic Production because they are in view of the high recreation use area around and in Loon Lake. The Lake itself can be clearly seen from the units (see attached photo of Loon Lake from Little Salander area 2).

The Pre-operations Report for these sales failed to describe how this land would conform to the Elliott FMP for Scenic Production:

“Operations planned on lands designated as Scenic Production in the land use plan will be reviewed to determine if protective measures are needed to reduce the visual impact of the operation or to shorten the duration of the visual impact. Some options include:

- No protective measures needed.
- Harvest unit boundary design adjustments.
- Retention of screening vegetation to reduce visual impact.
- Planting larger tree seedlings to shorten the duration of visual impact.
- Fertilization of tree seedlings to shorten the duration of visual impact.”

The pre-operations report for both sales did admit that protective measures were needed by mentioning that retention trees will be placed to minimize visual impacts to Loon Lake recreation areas. But if protective measures are needed, and retention trees are to be used, the FMP requires the retention trees “to reduce visual impact”. The pre-operation reports say that only three trees per acre are being left, the minimum required. No extra retention trees will be left.

Three trees per acre can’t reduce visual impacts, especially when the retention trees are placed around the edges of the units, and some of them are topped for snag creation. It appears that the desire to protect the scenic quality of Loon Lake recreation is halfhearted. Instead, the Pre-operation reports for all units with Scenic Production acres must be more specific about how visual areas will be protected, with a plan that works and that is mapped so the public can comment on its effectiveness.

RESPONSE: As addressed in the pre-sale documents, “Green tree retention will be left where feasible on high visibility slopes to minimize the visual impact to the BLM Loon Lake Campground,” this level of planning will be accomplished during field layout. Exact road and landing locations influence the final location of the trees that will be placed to manage visual impact.

COMMENT: Little Salander, Wildlife Option: The pre-operations report for Little Salander says that “Area 1 will be prepared under the wildlife emphasis option...” This should result in additional trees retained within the unit. Yet Table 2 says that Area 1 has a target of only 3 trees per acre left. The text on the next page says 5 trees per acre will be left in unit 1. Which is it? And how come a ‘wild emphasis’ will have only 5 trees per acre left, and maybe as little as 3 TPA left? Doesn’t wildlife that is dependent on older trees need more than that? Table 2 for Little Salander shows “Area 4”, yet there is no area 4 on the maps.

RESPONSE: Table 2 is in error, Area 1 is the wildlife emphasis unit with a 5 tree per acre wildlife tree target. The reference to Area 4 in table 4 is also in error, (little Salander has 3 sale areas.) These errors will be corrected in the final report.

COMMENT: Mill Creek Bridge's Bald Eagle: It is good to hear that a Bald Eagle has nested next to the Mill Creek Bridge timber sale. Please send us the Biological Assessment ("Biological Review") when it is completed. This forest is too young to clearcut. You should thin it instead.

RESPONSE: Biological Assessments are required under State Forest Policy for activities near murrelet areas and spotted owls that are not covered under an HCP. Since, ODF is following forest practice rule 629-665-0220 and -0230 pertaining to protection requirements of eagle nesting and roosting sites, a Biological Assessment is not required. The Biological review, referenced in Section VIII of the Mill Creek Bridge report, is an on-site assessment prior to the start of operations to determine the presence or absence of eagles. This will be clarified in the pre-sale report.

In regards to the comment of a thinning versus clearcutting prescription, the stand was assessed in terms of silvicultural treatment, the combination of stand condition and road access resulted in a clearcut prescription.

COMMENT: South Marlow Switch: Twelve acres of unit 1 is classified as "Noncommercial Rocky". There was no written explanation of why noncommercial rocky areas are being harvested. The Forest Management Plan says, "Currently, the Elliott has a few parcels of rocky or swampy lands scattered through the forest. Most parcels are less than five acres, though a few are as large as 20 acres. No timber harvest is anticipated from these lands."i Why are you logging 12 acres of non-commercial rocky lands, especially without consideration in the pre-operations report of how they will be replanted?

RESPONSE:

The size and exact location of the outcrop will be determined during sale layout, the timber within the rock outcrops will be excluded from harvest and will not count towards net acreage. This will be clarified in the final pre-sale report.

COMMENT: Joe Knife: The legend on the Joe Knife Timber Sale has an area marked as "research". What is being researched? Area III of Joe Knife is surrounded on two sides by the Fish Knife Marbled Murrelet Management Area (MMMA). Is Area III an older forest than found in the MMMA? If so, it should be protected instead of younger forests in the MMMA.

RESPONSE: The research area referred to is a Progeny test site, an area planted to test seed sources, it is currently 35 years old. Area III is approximately 123 years old, and was surveyed to protocol for murrelets and found to have no murrelet occupancy.

COMMENT: This is the third year in a row that the ODF had not met the target required for thinning stands. That means you are about 1500 acres behind the thinning target. The excuse is that “It is conceivable the new plan could require some of these stands to be clearcut in the next decade.”

It is not only illegal to implement the new FMP before ODF is authorized to do so, thinning is also an important part of achieving the optimum harvest goals of the plan. Proposals that clearcut young plantations must be dropped, or their prescription changed to thinning.

Over 5,000 acres were suitable for thinning in the first 10 years of the plan (through FY 2003). The next 4 years, FY 2004 through FY 2007, 500 more acres per year became suitable for thinning, or another 2,000 acres. Out of the 7,000 acres targeted for thinning in the 14 years of implementation of the HCP, how many acres have been thinned?

The Elliott FMP and HCP have an annual objective of 500 acres of “Conifer Partial Cut”. The 2007 AOP plan is for 0 acres of “Conifer Partial Cut”. Missing the HCP’s annual objective, for three years, is not allowed without reconsulting. It is also not allowed under administrative rules. “Administrative rules prevent districts from adopting recommendations inconsistent with the forest management plans and implementation plans”. The objective is to thin 500 acre. Thinning 0 acres is not consistent with the FMP.

We raised this issue last year. The ODF responded: “Thinning needs will be evaluated on a yearly basis. As thinning is needed and appropriate in future sale plans, we will plan and conduct it.” This is a different excuse given from the AOP summary. Is the ODF claiming that thinning has not been done for years because there are no stands that need thinning? Please send us the yearly evaluations you referred to in the 2006 response for the years ODF has done no thinning, FYs 2005, 2006 and 2007.

RESPONSE: We are currently in the 11th year of implementation of the HCP. Approximately 5,400 acres have been thinned since the inception of the HCP, this is 100 acres below the estimated thinning projection. As we have mentioned before, there is a myriad of reasons the district is not planning thinning: gap in need, and future uncertainty in the new plan. Stand health will not be adversely affected. Thinning needs will be evaluated on a yearly basis. As thinning is needed and appropriate in future sale plans, we will plan and conduct it.

COMMENT:

For the third year in a row, the ODF is proposing to clearcut young, managed plantations on the Elliott. The Forest Management Plan (FMP) and Habitat Conservation Plan (HCP) for the Elliott State Forest does not allow young plantations to be clearcut like the rotation cycle practiced on private lands. Greater protections are required on the Elliott by thinning plantations until the culmination of mean annual increment.

Also, clearcutting instead of thinning young plantations is not allowed in the HCP or FMP. “Units are selected for regeneration harvesting as they reach a designated rotation age.” Instead, the 2007 AOP proposed to clearcut 30 and 40 year old forests.

- Double Barrell sale clearcuts 91 acres of a 40 year old plantation.
- Mill Creek Bridge #2 clearcuts 115 acres of a 42 year old plantation.
- Young Howell sale clearcuts 71 acres of a 36 year old plantation.

The Elliott’s FMP and HCP are very clear in at least four other places that ODF cannot clearcut these young plantations. Only thinning is allowed:

- i. Table V-6 in the FMP, “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 years “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...”ii. The 2006 AOP summary is saying the opposite, that thinning young plantations 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).”iii The ODF 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.”iv
- iv. The FMP says, “a no-thinning strategy is undesirable and would be avoided if possible.” If stands are geographically too difficult to thin, they should be precommercially thinned. “Regeneration harvest would be done on the same rotation timelines that would be used for stands commercially thinned with conventional methods.”v

The HCP 5-year review also weighs in on thinning vs clearcutting young forests. It recommends using “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, and ultimately develop additional forage, roost, and nest sites for spotted owls”.vi

Nowhere does the HCP or FMP allow regeneration harvest of a stand that should be scheduled for thinning instead.

We raised this issue in our 2006 AOP comments. The ODF responded that the HCP does not require thinning. Maybe not, but that is not our point. The FMP requires thinning, in all the quotes we gave above. The ODF must follow the current FMP until ODF is authorized to follow a new plan.

RESPONSE: Thinning needs will be evaluated on a yearly basis. As thinning is needed and appropriate in future sale plans, we will plan and conduct it. Commercial thinning on the Elliott is normally done for combinations of the following purposes: developing habitat, producing revenue, or to maintain stand health and growth until final harvest. Logging costs of commercial thinning in young stands is very expensive due to low volumes per acre removed and due to the extra care required of the logger not to damage the leave trees. These costs are particularly high on the Elliott due to the steep terrain which requires cable logging systems. These logging costs can run 200%-300% higher than clearcut logging costs. If thinning was done unnecessarily on the Elliott it would have a direct negative effect on revenue production and would be an indication that ODF was not maximizing returns over the long run on commons school lands. For example, the stumpage price received for a young commercial thinning sale, Blue Millicoma Thin, was \$201.84 per MBF. The Middle Elk sale, a young clearcut sale of similar age and size, sold for \$441.80 per MBF. Almost all of the difference in price can be attributed to the fact that one was a clearcut and one was a thinning. The decision to commercially thin has to be made carefully. Thinning should only be done where essential.

The Elliott FMP and HCP do not say that young stands can't be clearcut. When a certain type of cutting is prohibited, it is clearly stated. For example, clearcutting of Habitat Conservation Areas and Marbled Murrelet Management Areas is prohibited and it is clearly stated in the plans as being prohibited. Other reserved areas such as Riparian Management Areas along type F streams can't be clearcut because the FMP says "No harvest except for specific habitat enhancement". It is true that clearcutting of young stands is not spelled out in the plans, but the plans were never intended to cover all of the potential paths that could be taken to successfully implement the plans. It certainly would have been best if the FMP clearly spelled out that clearcut harvesting of young stands could occur.

The primary and over-riding constraints on the Elliott are that on average the annual clearcut acreage objective can't be exceeded. In addition the required amount of owl dispersal habitat in each basin (50%) must be maintained. Also, minimum owl nesting, roosting, foraging (NRF) habitat must be maintained where the minimum has already been met. Where minimum NRF hasn't been obtained, we can't do any cutting that would increase the time it takes to attain the NRF target. The young clearcuts that we've sold and that are planned meet these requirements. They don't reduce owl dispersal habitat below 50%, they aren't NRF habitat that is needed to maintain the minimum required NRF, and they aren't needed for future NRF. They are surplus to our needs for T&E habitat. If they were needed for future NRF they would be retained and thinned to accelerate the development of NRF habitat.

Regarding the FMP statement that "harvest volume is maximized if harvest ages are set at the 'culmination of mean annual increment' on page VI-41 of the FMP. This statement is in Section VI of the FMP which is titled "Analysis of Resource Strategies". The discussion in this section pertains to all seven of the alternatives proposed. It is a statement of fact that harvest volume is maximized when you grow a stand to its culmination of mean annual increment. This statement is not a requirement of the Elliott FMP. Maximizing harvest volume on a stand basis by growing all stands to their CMAI does not maximize income and would fail to generate the maximum financial return over the long run that is required on Common School Lands. This explains why most industrial owners in the region clearcut at around 40-45 years of age. Guiding Principal 4 of the Elliott FMP is: "The primary standard of management of all resources on the Elliott State Forest is maximization of income for the Common School Fund and production of income for local governments over the long term, consistent with cost-effective and ecologically sound forest resource management. "The reason that many stands on the Elliott are grown to an age where CMAI is reached or exceeded is because it was agreed to in order to obtain an HCP and Incidental Take Permit for owls and murrelets.

Regarding "Target Harvest Age": On page V-27 of the FMP this term is explained: "Target harvest age is used to control timber harvest rates." For example, in a basin with a target harvest age of 80, the timber available for harvest would be harvested over an 80 year period, or 1/80th of the acreage each year. In a 240 year basin, 1/240th of the available timber is cut, on average, each year, if all requirements have been met. The target harvest age is not how old a tree must be before it can be cut. The terminology certainly isn't the best, but it's what we have to work with.

COMMENT: The ODF plans to build 1.32 miles of new roads in 2007. The Elliott's FMP requires that the ODF "consider other alternatives such as helicopter access or larger yarding equipment to minimize additional road construction." The ODF failed to follow this requirement in 2007, or in any year since this requirement was instituted in 1993. The ODF should start to implement this part of the forest plan, at last now, in the last year it will be required. The ODF should insert this requirement into the new FMP.

RESPONSE: Construction of 1.32 mile of spur roads is considered minimal construction. ODF would not be fulfilling its' responsibility to maximize return if it required helicopter logging when normal logging methods are more economical and adequately protect the resources.

COMMENT: The Elliott Watershed Analysis assumed use of dirt roads would take place only the dry season: "Most roads on the Forest (75%) are graveled (Figure 6-4). The remaining roads are dirt and only used in dry weather." This is not what we have seen.

RESPONSE: This is correct, hauling and traffic use of dirt roads are allowed only in dry weather, equipment used for tailholds are sometimes parked on dirt spurs. Drainage is retained during use and restored after equipment is removed.

COMMENT: This year we witnessed dirt road use during the wet season in Area 1 of the Salander Top timber sale. The mud from this road drained into Bickford Creek. The Pre-Operations Report for Salander Top refers to this road as "an unnumbered access road for Area 1" that "will be purchaser maintained" and has "minimal surfacing". If the Purchaser plans winter harvesting, "Purchaser will be required to upgrade surface and drainage. Upgrades may include ditches, cross drains and rock." Were wet-weather mitigations not implemented because the word "may" actually doesn't require any wet-weather protection of dirt roads? Do dirt roads proposed in the 2007 AOPs have the same loophole for wet-weather use?

RESPONSE: The dirt road referenced in Area 1 of Salander Top was used for a tailhold, this spur was not used for hauling and traffic use. When dirt roads are planned for winter wet weather hauling, the roads are upgraded for winter use. The allegation that mud drained into Bickford Creek is not substantiated. Any run-off or sediment from this spur definitely did not enter any streams. It ran into the ditch adjacent to the 1000 road and soaked into the ground or ran down the ditch and through a cross drain and onto a slope where sediment would have been filtered by the soil.

COMMENT: One more comment about Salander Top... While the Pre-operations report used the word "may" for wet-weather protections, the actual Notice of Timber Sale said: "This timber sale is designed for harvest during the dry season. Purchaser must comply with the Winter and Wet Weather Option requirements (Section 2610) if operations are conducted in the wet season." We could not find the reference "section 2610". What does it say, and did the purchaser comply with it by using heavy logging equipment on a dirt spur during wet weather?

RESPONSE: Section 2610 refers to the Project Work section of the contract which specifies the Winter Wet Weather Option: "If winter or wet weather operations are planned, PURCHASER, shall provide road rock and culvert installation as outlined in the contract". In Salander Top, the Purchaser opted for the winter and wet weather option and upgraded the spur to the landing. The referenced short spur, off the 1000 road, was not required to be rocked. This spur was not used for haul, but for a one time tailhold placement.

COMMENT: Of continuing concern is the use of intensive forest management, clearcutting, roadbuilding and herbicide use, on unstable, landslide prone soils. On our travels through the Elliott State Forest we consistently see failed roads, landings, and in-unit landslides. (See pictures in attachment). The Elliott State Forest contains some of the most landslide prone soils in Oregon, yet the ODF continues to do intensive forest management on the unstable hillsides, resulting in soil loss from landslides across the forest. In just one survey in 1997 and 1998, the ODF counted 267 landslides. The ODF seems to only be concerned about landslides that deliver sediment to streams. But any landslide removes top soil, increases soil erosion, and decreases future productivity of the forest.

In March 2006, from road 7100 in section 31, we looked southeast and saw a new, road-related, landslide in what could have been the Fish Knife sale on road 7300. The FY 2004 Pre-Operations Report for Fish Knife said:

“Portions of the unit have slopes which meet the criteria for classification as high landslide hazard locations (in the Tye Core Area uniform slopes greater than 75% and/or concave slopes greater than 65%). To minimize yarding impacts on slopes, single end suspension cable yarding will be required where feasible. Landings will be located on ridge crests as much as feasible, and any sidehill portions will be constructed with full bench end haul design with construction during the dry season.”

Whether we were looking at the Fish Knife timber sale, or another sale, the mitigations ODF used on this High Landslide Hazard Location didn't work. We also saw road-related landslides in the Cedar Glen and Fish Headwaters timber sales. The Cedar Glen landslide was below a new, mid-slope, spur road that was recently built. These current sales also used the best landslide-prevention and best road-construction mitigations, yet the roads still caused unintended soil loss.

Do you have any assessments of what went wrong with these sales and their mitigations that you could share with the public? Even if a slide does not reach a stream, soil loss across the forest could cumulatively reduce reforestation success and future logging opportunities in landslide areas. We are concerned because the most recent, and what is considered the most effective mitigations for these recent sales were implemented, and slides still occurred. The failed mitigations are the same mitigations offered for the following FY2007 sales on the Elliott:

RESPONSE: Although dramatic in appearance, landslides (debris flows) affect a very small percentage of the forest; actual soil loss is minimal. The retention of trees in the lower reaches of potential debris flow track reaches (per Table 5-3) will mitigate potential negative impacts on aquatic and riparian habitats. Road related debris flows occur from old sidecast construction. Best management road mitigations have made a significant decrease in the number and magnitude of debris flows occurring from new roads compared to older roads where the excavated soil and rock was sidecast down slope. Potentially unstable areas due to legacy road construction practices are identified and unstable material is removed. In FY2007, we will continue to use the Best Management Practices for road construction.

COMMENT: Has the ODF kept track of how many management-induced landslides occur in the Elliott? We have taken pictures of a few of the many management-induced landslides we have encountered and attached to these comments.

There is one monitoring component in the 1993 FMP for “Water Quality” that requires “Landslide survey by source (roads, operation units, undisturbed areas).” Have you complied with this monitoring requirement and done an annual survey for landslides? Please send us that monitoring report. I assume we will see the landslides reviewed in the report that we have encountered on the ground.

We looked in the new, 2006 Forest Management Plan, and could find no list of specific items that require monitoring. Did we miss it? If so, please direct us to the page number for the specific items to be monitored and the monitoring schedule. If it is not there, you must add a list of specific monitoring requirements, including items, schedules, and reporting requirements, in the new Forest Management Plan.

We have received monitoring reports of the 1995 Habitat Conservation Plan, but we have never seen any monitoring reports for the 1993 Forest Management Plan. If they exist, please send us the FMP monitoring report files electronically. The Forest Management Plan requires that you do annual monitoring that tallies numbers of acres, volumes and miles of activities. While this data is adequate to determine if you are logging enough, it doesn’t actually monitor the environmental results of your activities. Have you done this type of monitoring, or validation monitoring? If so, we are interested in seeing these reports. If you lack validation monitoring for management activities and assumptions, please correct this in the new Forest Management Plan and Habitat Conservation Plan.

RESPONSE: The monitoring information you request can be found in the 2003 Elliott State Forest Watershed Assessment. The 2006 Forest Management Plan addresses a strategy for Adaptive management, of which monitoring is an important element. The specific monitoring plan that you request will be incorporated into the Habitat Conservation Plan, this will involve the concepts of Implementation, Effectiveness, and Validation monitoring

COMMENT: In every AOP summary since the FMP was implemented, the ODF states they will spend \$5,000 on recreation facilities. The 2007 Recreation Management Summary also spends \$5,000 on “Day Use Facilities”. However, the Coos District 2007 Annual Operation Plan summary of “Recreation Management” on page 12 doesn’t mention “Day Use Areas” or hint at how the money will be spent. How was this money spent in past years? Where will ODF spend it in 2007? Assuming you have allocated \$5,000 yearly since the 1993 FMP, \$70,000 has been allocated for recreation facilities on the Elliott. Could you please send us a summary of where this money has been spent? Thank you.

RESPONSE: Most recreation dollars were spent on developing the horsecamp at Elkhorn Ranch. Improvements to the access road and for the campsites totaled about \$22,000 including our administration of the work. We also have removed danger trees from commonly used areas and removed abandoned trailers. The recreation budget for 2007 is targeted to maintain access roads to undeveloped campsites on the West Fork of the Millicoma and Elk Creek areas.

Other Resource Considerations

COMMENT: We understand that some of the sales listed as 2007 could be eliminated because Marbled Murrelets will be found in their second year of surveys. How can the public find out what sales have been eliminated and when a decision is made to log an alternative sale instead? We would be interested in this information for FY 2005 and 2006 sales as well. Could you please send us a list of FY 2005, 2006 and 2007 sales that were eliminated due to the Marbled Murrelet surveys?

RESPONSE: Sales were not eliminated in either the 2005 or 2006 fiscal year plans due to Marbled Murrelet surveys. The results of the 2007 surveys will not be finalized until late fall. This information will be available to the public in December by calling the District Office.

COMMENT: The AOP never addressed the impact of converting old, native forests, never before logged, to tree plantations. The old forests on the Elliott are unique in Oregon State Forests. The Elliott has the oldest trees and most acres of native forests of any state forests. Once the ODF converts a native forests to a tree plantation, it is never allowed to become old again as it will likely continue to be clearcut every 80 years (or less). Instead of admitting that this impact is taking place, the Pre-Operation Plans call the native forests “second growth” because of the 1868 forest fire. This doesn’t make sense. All native forests in the coast range originated from forest fires. Yet the ODF doesn’t call all native forests second growth. The ODF should correct their mis-naming of these original forests and stop implying they have been logged before. Does the ODF call a 200 year old forest that originated from a fire, “second growth”. What about a 300 year old forest that originated from a fire, or a 400 year old forest? What exactly is the cut-off age definition where the ODF stops referring to the original, native forests as second growth?

RESPONSE: The term “second-growth” is a forestry term in common use. The definition used most often, with slight variations is: a forest or stand that has grown up naturally after removal of a previous stand by fire, harvesting, insect attack or other cause. The stands created after the 1868 fire seem to fit this definition. The term seems to be more correctly used to describe naturally regenerated stands than stands regenerated by planting or other artificial methods. However, foresters usually use it to cover both naturally and artificially created stands adding to the confusion. There is not a negative connotation associated with the term second-growth, nor is there an age differentiation. The term “older second-growth” has been used to describe older forests, e.g., “Older Second Growth Forests of Eastern Vancouver Island and the Gulf Islands” (Ministry of Sustainable Resource Management, B.C)

Other Issues

COMMENT: The AOP Summary for Little Salander said something cryptic about “... the Land Use Classification used on the Elliott State Forest [sic]. The Forest Land Management Classifications (FLMCS) used in other districts, will be incorporated into the new Management Plan.” Is this referring to scenic production land use classification?

RESPONSE: The land use classification used on the Elliott is the classification system adopted with the 1993 Management Plan, which has a scenic production land use classification. The new FLMCS will be adopted with the new FMP and HCP.

COMMENT: The 2007 Annual Summary implies that between 2000 and 2003, the Elliott had a goal of 459 acres of clearcut logging per year, and fell short of that by 225 acres over the four years. But this is incorrect, or very misleading. The clearcut conifer acres allowed each year between 1993 and 2003 was 439 acres, not 459, as the 2007 AOP claims. This is because the ODF is not differentiating between Clearcut CONIFER Acres and Clearcut HARDWOOD Acres. The FMP requires 20 acres of Hardwood clearcut annually (likely for a good reason, to convert the upslope alder stands back to conifer), and 439 acres of CONIFER clearcut annually. The ODF cannot claim they are making up 459 acres of conifer clearcut annually.

Therefore, the AOP Summary incorrectly concludes that for four years, 2000 through 2003, the “Coos District is 225 acres below it’s allowed harvest level”. Since this is off by 20 acres per year, the correct figure that the Coos District is below is 145 acres, not 225 acres. The Coos District has already made up the 145 acres by the over-harvesting in FYs 2005 and 2006. You can’t continue to make up for years. Instead, you have to reduce harvesting of conifer clearcuts.

Hardwood stands are those in which hardwood species comprise more than 70% of the stand. The target in the first decade was to clearcut 20 acres of these per year. Though not clear in the FMP, we assume this 20 acres per year target continues into the second decade. Conifer clearcut target is only 439 acres. The response to this comment should be a clear accounting of what your conifer, versus your hardwood, targets were annually in each decade, and how you met each of those targets annually. They are different targets for different reasons and the ODF should not lump them together for the purpose of being able to clearcut harvest more conifer forests than allowed for.

RESPONSE: The comment is correct in that we did not break out the hardwood types in the AOP summaries. However, during the first 10 years of the HCP we have cut 77 acres of stands typed as hardwoods. This information is contained in the Annual HCP reports. In addition, alder volume sold during the last 10 fiscal years totals 7,862 MBF. A good stand of alder will have about 15-20 MBF per acre, so this volume is equivalent to about 450 acres of alder, even though by hardwood types we only cut 77 acres. Many of the harvest units on the Elliott have subtypes of alder within the main stand that don’t meet the formal definition of hardwood type. The Management plan does not have a hardwood target for the second decade.

The following quote is from the “Five Year Review for the Elliott Habitat Conservation Plan” : “Spotted owls on the Elliott selected mature, old, and ‘mixed age’ coniferous habitats, but also selected hardwood habitats. Hardwoods appear to be providing some of the habitat attributes needed to sustain owls in these forests. An analysis of habitat edge types showed that owls also selected the edge (or ecotone) between hardwood and conifer stands. This includes hardwood trees with relatively complex canopies, such as bigleaf maple and myrtlewood. Spotted owls avoided habitat types with no apparent ecotone, or ‘edge’. Owls also avoided certain edge types that contained pole or open components. These results suggest that hardwood/conifer edge habitat may be promoting a healthy prey base or enhancing access to prey.” It appears from an owl habitat perspective, not targeting alder types for harvest may have been a good thing. This situation is an example of adaptive management, though not formally documented as such. There will not be an alder clearcut harvest objective in the new Elliott FMP/HCP.

COMMENT: Besides being off by 20 acres per year for years by moving the 20 acres of hardwood clearcuts over to conifer clearcuts (see above), there is another reason the levels of logging have been too high since the original Marbled Murrelet HCP/ICP expired in October 2001. From FY 2002 to the present, logging levels have been based on the assumption that the HCP would continue and not be hampered by a no-take protocol of two years of MM surveys for every sale. Since this assumption was incorrect, the 459 acres of conifer and hardwood clearcut acres should have been reduced in FY 2002, not maintained and increased at the second decade of the plan to 510 acres of clearcut harvests (Is the 510 acres of clearcut harvest allowed in the second decade also divided into conifer and hardwood clearcut acres, so it would be 490 acres of conifer clearcut harvests and 20 acres of hardwood clearcut acres?).

This is the third year in a row the Coos District has exceeded their clear-cutting target:

In FY 2005 it was exceeded by 151 acres

In FY 2006 it was exceeded by 15 acres.

In FY 2007 it will be exceeded by 23 acres.

This totals 189 acres over the allowed combination of hardwood and conifer clearcut acres for these fiscal years, and since there was no hardwood conversion, it exceeds conifer clearcut harvests by 60 more acres.

The ODF claims that because of “the discovery of a large number of stands occupied by murrelets” in Fiscal Years 2000, 2001, 2002, and 2003, the ODF fell behind on target harvest volumes, so ODF is simply catching up with what should have been clearcut anyway.

One thing that doesn’t make sense about this argument is that in Fiscal Years 2000 and through to October of 2001, you were operating under an ITP for Marbled Murrelets. ODF was not required to do murrelet surveys for those fiscal years. How could the discovery of a murrelet occupied stand caused you to undercut since you were allowed to kill nesting murrelets during that time?

In spite of that, the ODF argues that it is logging more now to make up for past missed-targets, which ODF claims is 459 acres the first decade of the plan (through FY 2004), and 510 acres the second decade of the plan (beginning in FY 2005).

RESPONSE: The summary will be revised to clarify that although the primary reason for the shortfall in acres was the discovery of a large number of stands occupied by murrelets, another reason for some sale years was an overestimation of net acres in the sale plans.

While the parties to the Elliott HCP may have generally anticipated that a second murrelet HCP would be in place when the first one expired, it was clearly not a requirement for the continuation of the owl HCP. If it had been a requirement it would have been plainly stated in both the HCP and the ITP. Furthermore, if the continuation of the owl ITP was contingent on a new murrelet HCP the U.S. Fish & Wildlife Service would have terminated our owl ITP on October 4, 2003. Our owl HCP/ITP remain in force as long as ODF complies with the terms, through October 3, 2055, whether or not a new murrelet HCP is consummated. Current harvest levels in the Elliott are in full compliance with the FMP/HCP/ITP.

COMMENT: However, the targets in place since the expiration of the Marbled Murrelet HCP in October 2001 were made assuming there was an incidental take permit (ITP) for Marbled Murrelets past 2001. The EA for the HCP says for decades 2 through 10: “Annual Timber Harvest Volume... Assumes an ITP is obtained for... marbled murrelet habitat beyond 2001. “Since this didn’t happen, it is understandable that there were “4 years where the acres of clearcut fell below the annual target due to murrelets.” ODF is not allowed to make that up now, since there is still no ITP for Marbled Murrelets. The target volume must be lowered for years 2001 through 2006 to reflect the fact that since 2001 there has been no MM ITP.

We raised this issue in our 2006 AOP comments. The ODF responded with an explanation of when the MM HCP expired (yes, we know), and that take avoidance is now being implemented (yes, we know), and that “[t]he main criteria used for assessing our fulfillment of the owl HCP and owl ITP is our maintenance of the minimum nesting, roosting and foraging habitat and dispersal acres.” The ODF didn’t actually respond to this issue at all. We are talking about the ITP for Marbled Murrelets effects on harvest targets, and ODF responded about the Northern Spotted Owl HCP compliance. The ODF must recognize that a loss of the ITP for Marbled Murrelets in 2001 should have also resulted in a reduction of the target harvest volume. The Coos District should have lowered the target volume, especially when it was evident that MMs were causing the decline in the volume sold.

“Surveys for murrelets resumed in 1998 in preparation for timber sales to be sold when the ITP expired in 2001 and afterwards. As it turns out, the Elliott is a murrelet-rich environment and murrelets are found even on about 25 percent of timber sales proposed in “poor” murrelet habitat. When murrelets are found, the proposed sale is scrapped or modified and a significant acreage of timber in the vicinity is set aside as a Marbled Murrelet Management Area (MMMA), thereby reducing the amount of timber available to sell.”

It is not legal for the ODF to play catch-up for those years now, trying to attain a target volume made under the assumption a MM ITP would be extended after 2001.

RESPONSE: Implementation of harvest targets has been in accordance with ODF policy, and in compliance with take avoidance and the HCP. The referenced environmental assessment was produced as documentation for the HCP, but does not constitute an agreement with the federal services. The summary will be revised to clarify that although the primary reason for the shortfall in acres was the discovery of a large number of stands occupied by murrelets, another reason for some sale years was an overestimation of net acres in the sale plans.
