



File Code: 1950; 1570
Date: August 24, 2020

Doug Heiken
Conservation and Restoration Coordinator
Oregon Wild
P.O. Box 11648
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Dear Doug,

This letter is in response to your objection (#20-06-15-0301-218(B)) to the draft Record of Decision (ROD) for the Calf-Copeland Restoration Project Final Environmental Impact Statement (FEIS), North Umpqua and Diamond Lake Ranger Districts, Umpqua National Forest. I have read your objection and reviewed the project record, the draft ROD, and the FEIS. My review of your objection was conducted in accordance with the regulation at 36 CFR 218 (2013).

PROJECT DESCRIPTION

On April 24, 2020 a legal notice was published in the *Roseburg News-Review* announcing the public notice of the draft ROD and objection filing period for Calf-Copeland Restoration Project. In the draft ROD, the Responsible Official selected Alternative 3, which authorizes the following activities:

- Commercial thinning across approximately 3,420 acres within the project area, including gap creation and oak habitat restoration, yielding approximately 42 million board feet of timber;
- Non-commercial thinning approximately 607 acres;
- Constructing approximately 9 miles of temporary road;
- Maintaining approximately 138.9 miles of existing road;
- Designating travel management activities on approximately 27.2 miles of system roads, including decommissioning or storing roads;
- Planting in areas burned by the 2017 North Umpqua Complex Fire;
- Conducting activity fuels treatments and maintenance burns within the planning area;
- Creating shaded fuels breaks; and
- Conducting aquatic restoration activities including instream log placement, upgrading and/or eliminating stream crossings, and restoring wetlands.

OBJECTION ISSUE DISCUSSION AND CONCLUSION

Specific to your objection, you raised issues regarding: treatments in the late-successional reserve, and impacts to the late-successional reserve and late-successional reserve characteristics; impacts to northern spotted owls and their habitat; impacts to snags and down wood; impacts



from roads; impacts to unroaded areas; consideration of climate change and carbon; and the response to comments.

The objection resolution meeting was held on August 19, 2020; no resolution was reached. We did share with you the resolution agreements that were made with other objectors; these are articulated in the enclosed document and will be documented in the final ROD.

I conducted my review of the record, FEIS, and draft ROD. I found that no remedies or resolutions suggested would resolve your objections; therefore, the project will incorporate the resolution agreements made with the other objectors and proceed as planned. Based on my review, I conclude the following:

- The draft decision clearly describes the actions to be taken in sufficient detail that the reader can easily understand what will occur as a result of the draft decision.
- The draft decision considered a range of alternatives that was adequate to respond to the Purpose and Need. The purpose and need and alternatives considered in the FEIS reflect a reasonable range of alternatives, consistent with law, regulation and policy.
- The draft decision is consistent with or moves toward attainment of Forest Plan standards and guidelines.
- The draft decision is consistent with policy, regulation, law, direction, and the FEIS contains adequate evidence to support the decision. The record and final decision contain site-specific documentation regarding resource conditions, and the Responsible Official's draft decision document is based on the record and reflects a reasonable conclusion.

This concludes my written review of the project. By copy of this letter and the enclosed response document, the Responsible Official may sign the decision after incorporating the resolution agreement, then notify interested and affected persons in accordance with the regulation at 36 CFR 218.12 and 36 CFR 220.5(g). This written response is the final administrative review by the Forest Service or the Department of Agriculture [36 CFR 218.11(b)(2)].

Sincerely,



ALICE CARLTON
Forest Supervisor
Objection Reviewing Officer

Enclosure: CalfCopelandObjectionStatementsandResponsesOregonWildFinal.pdf

cc: Jacob Winn, Sherri Chambers, Jennifer Christie, Elspeth Gustavson, Debbie Anderson, Heidi Hopkins

**Calf-Copeland Restoration Project
Final Environmental Impact Statement (FEIS)
North Umpqua/Diamond Lake Ranger Districts
Umpqua National Forest
Objection Statements and Responses
August 2020**

Objector	Objection Number
American Forest Resource Council (AFRC)	#20-06-15-0298-218(B)
Douglas County Board of Commissioners (DCBC)	#20-06-15-0299-218(B)
Oregon Wild (OW)	#20-06-15-0301-218(B)

During the objection resolution process, the following agreements were made between the Forest Service and Objectors AFRC and DCBC and partially resolved the objectors concerns. These include:

- The final Record of Decision will select Alternative 3, however, implementation of the closure and storage of Forest Roads 2800-800, 2801-130, 2801-275, and 4750-600 (approximately 4 miles) will be delayed until some of the hazardous fuels reduction work, including shaded fuel breaks, have been completed in the planning area. This will allow for continued use and access of these routes for wildfire initial attack and public use until adequate fire hazard reduction activities in the project area have been completed.
- The Forest Service agrees to continually improve its public engagement efforts on travel management in future projects and to provide clear information on how changes to the motor vehicle use map (MVUM) will alter public use of and access to Forest System roads and lands. The Forest will consider options such as the feasibility of road signage at an early stage of the NEPA process.
- The final Record of Decision will include language that articulates the importance of timber receipts to Douglas County from traditional timber sales and the range of value this could or might represent.
- The Forest Service will agree to work with objectors on future projects on the Umpqua National Forest to identify better indicators of and improve the analysis for economic effects of proposed actions and any alternatives to clarify the potential contributions they might make to the local economy.
- The Responsible Official will not incorporate elements of the no action alternative and is not planning to drop any proposed treatment units in response to objections received prior to the signing of the Final Record of Decision.

Only the remaining unresolved objection issues are addressed in this document.

Late-Successional Reserves

Overview and Objector’s Suggested Remedies: This objection issue surrounds the concern that Objector OW has over potential impacts to the late-successional reserves (LSRs). Their suggested remedy is to “issue a clear decision that complies with the Northwest Forest Plan standards & guidelines, avoids commercial logging and road building in mature native stands in LSRs, riparian reserves, and unroaded areas >1,000 acres;” or to “prepare a new EIS to address the significant impacts and unresolved conflicts and fully complies with the requirements of NEPA and the CEQ regulations” and addresses their specific concerns.

Objector Statement #1: Objector asserts that the District violated law, regulation and policy by logging in native stands in LSRs, logging stands over 80 years of age (which is inconsistent with the South Cascades LSRA), logging in owl habitat, creating large gaps in LSRs, failing to identify and protect high quality spotted owl habitat, failing to consider alternatives that meet LSR standards and guidelines and “properly harmonize diverse objectives,” and failing to take a hard look at the value of retaining canopy cover and the adverse impact of removing canopy cover. OW at 4-44 and 59-67.

Response: I find that the Responsible Official addressed issues related to the LSR and consistency with the LSRA, identified and protected high quality owl habitat, and considered an adequate range of alternatives.

The regulation at 40 CFR 1502.13 requires that an EIS “briefly specify the purpose and need to which the agency is responding in proposing the alternatives including the proposed action.” The regulation at 40 CFR 1502.14(a) requires that an EIS “rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated. The regulation at 40 CFR 1502.16 requires that an EIS include the environmental consequences of the proposed action and any alternative. The regulation at 40 CFR 1503.4 requires the agency to respond to comments that were submitted on a draft Environmental Impact Statement.

Consistency with the South Cascades LSRA in terms of treatments for risk reduction in stands over 80 years of age and creating gaps was addressed in the response to comments, Appendix K at 564, which states that “The forest completed a LSR consistency review with the Region Ecosystem Office (REO) to ensure that this project was consistent with the LSR assessment and that the proposed treatments were consistent with the exemption criteria for risk reduction and pine health (USDA 2020a). The REO concluded that the Calf-Copeland project is consistent with the Northwest Forest Plan Standards and Guidelines (RIEC 2020).” This is also reiterated in the draft ROD at 26, which noted that “The Calf-Copeland Project was presented to the REO Interagency LSR work group on November 22nd, 2019 and a draft of the consistency document was sent to the work group to be reviewed on December 9th, 2019. Comments from the LSR work group were returned to the Forest on December 17th, 2019 and the final consistency document was sent to the LSR work group on February 11, 2020. The REO, based upon the review of the LSR work group, has concurred with the Forest’s findings that the actions proposed in the Calf-Copeland Project are consistent with the NWFP S&G’s (RIEC 2020).”

The FEIS at 19-26 documents the existing and desired condition of the project area, noting the recent increase in large fires, of which about 1/3 were stand replacement fires or fires that killed legacy pine trees because of the abundance of ladder fuels. The FEIS at 19-26 documented that the planning area is “almost entirely” found in the LSR, while about 2/3 of the planning area is designated critical habitat for the northern spotted owl, which necessitates “prudent measures that could reduce the risk of further stand-replacement fire” within owl habitat while still maintaining the planning area as functional spotted owl habitat. The FEIS at 25 further articulates the specific need for restoring pine trees on the landscape. In addition, the FEIS, Appendix K at 597 documents that since 1996, “296,273 acres have burned (not counting reburns). This represents wildfire occurrence across 64% of LSR 222 over a 22 year period, far above the 28% threshold for fire risk established in the LSR Assessment. Of these acres, 37,345 acres are estimated to have burned at high severity.”

The FEIS at 42-60 describes the proposed action and additional alternatives that were fully considered in the analysis. The FEIS at 80-85 documents the five alternatives that were considered, but eliminated from detailed study; Alternative B specifically addressed limiting the size of gaps to one acre in size, then notes how limiting the size of gaps would not adequately establish pine species, noting the results of radial thinning around sugar pine from the Wolfpine Project, which is located in an adjacent watershed. FEIS at 82-83. The response to comments, Appendix K at 613, documented how input from the objector was incorporated into alternative design or how the suggestion would fail to meet the purpose and need.

Appendix G of the FEIS documented the methodology for identifying high quality habitat for northern spotted owls. Appendix G at 506 specifically notes that “biologists were able to focus field efforts to identify these areas of high quality refugia. The forest has worked closely with the Service during the development of this project to create proposed alternatives that would meet the Calf-Copeland project’s goals of pine restoration and improved forest health while minimizing adverse effects to spotted owls. The Calf-Copeland Project is proposing activities that would impact spotted owl habitat, however areas identified as RA-32 are not proposed for treatment.”

Gaps to promote pine within LSRs are part of the action alternatives, and are described in the FEIS at 28, 44, 49, and 55 which state that “gaps of up to 2.5 acres would be created and planted with rust resistant sugar pine or ponderosa pine. Gaps for pine restoration would total no more than 10 percent of the area of each stand with an estimated 82 acres of total gap creation across the project area for this purpose.” The FEIS at 123 notes that gap creation and planting to restore pine in plantations would increase the amount of mixed-conifer forest with a pine component to 5.1% or 6% of the landscape by 2060, depending on the action alternative, while in natural stands, it would increase to 3.1% or 3.5% depending on the alternative; trees over 24” would be retained if encountered during gap creation/pine release in natural stands, while trees over 20” would be retained in plantations, if encountered. FEIS at 130 and 134.

Impacts to northern spotted owl and their habitat are specifically addressed in the FEIS at 248-252, while impacts to critical habitat are addressed in the FEIS at 252-254. Consistency with the Recovery Plan is addressed in the FEIS at 254-256. Cumulative effects are addressed in the FEIS at 256.

The FEIS Appendix K at 563, response to comments addressed the concern related to canopy cover. The project does not propose to alter the canopy cover of high quality, closed canopy late successional habitat, but instead, the District selected stands because “they represent another type of late-successional habitat, which requires a more open canopy to benefit species such as pine and pine-dependent wildlife like the white-headed woodpecker. These mixed conifer-pine stands do not have the stand structure to support the microclimate and abiotic elements that are important indicators of stand resiliency.”

Final Remedies/Resolution for Late Successional Reserves: The FEIS and draft ROD documented how the project complies with the standards and guidelines for late-successional reserves in the Northwest Forest Plan, documented how the project protects high quality owl habitat, documented an adequate range of alternatives, and documented how altering canopy cover would impact fire and fuels. No remedy or resolution is needed.

Northern spotted owls and red tree vole

Overview and Objector's Suggested Remedies: This objection issue surrounds the concern that Objector OW has over potential impacts to northern spotted owls from barred owls and impacts to red tree voles, which are prey for the northern spotted owls. Their suggested remedy is to "issue a clear decision that complies with the Northwest Forest Plan standards & guidelines, avoids commercial logging and road building in mature native stands in LSRs, riparian reserves, and unroaded areas >1,000 acres;" or to "prepare a new EIS to address the significant impacts and unresolved conflicts and fully complies with the requirements of NEPA and the CEQ regulations" and addresses their specific concerns.

Objector Statement #2: Objector asserts that the District violated law, regulation and policy by failing to address significant new information on spotted owls and barred owls and by failing to adequately consider and protect spotted owl prey species such as the red tree vole. OW at 67-85.

Response: I find that the FEIS and project record documented how the Responsible Official considered the impact of barred owls on spotted owls and considered impacts to prey species.

The regulation at 40 CFR 1502.16 requires that an EIS include the environmental consequences of the proposed action and any alternative.

The FEIS at 246 documents that "Within the Calf-Copeland action area, there are 18 historic NSO sites (Figure 56). These sites were established from surveys conducted in the early 1990's following the listing of the spotted owl and the Northwest Forest Plan. Additional surveys to determine spotted owl occupancy within the project area began in 2016 and have occurred annually since that time. At the time of this writing, no nesting spotted owls have been located within the action area. A single resident male was detected calling from outside the project boundary as well as an unknown spotted owl in the Ringtail Pine vicinity, however follow-up surveys were not able to locate these individuals to determine reproductive status. Barred owls (*Strix varia*) were detected from these surveys and were widely distributed across the project area." The FEIS at 252 documents how pressure from barred owls may have required spotted owls to utilize lower quality habitat in the early 1990s. Appendix G at 501 and 506 further recognized that barred owls are one of the three largest threats to spotted owls. Finally, the Biological Assessment (BA) thoroughly describes the impact from barred owls relative to the action area. BA at 21-41.

The BA also thoroughly describes the potential impact of the project on spotted owl prey species, including the red tree vole, Humboldt's flying squirrel, dusky-footed woodrat, bushy-tailed woodrat, brush rabbits and other species. BA at 39-41. The FEIS at 302-309 further addresses red tree vole, and refers to Appendix H for the draft red tree vole conservation plan for the Middle North Umpqua Fifth-Field Watershed.

Final Remedies/Resolution for Northern Spotted Owl and Red Tree Vole: The FEIS, draft ROD and BA documented how potential impacts to northern spotted owl (particularly from barred owls) and red tree vole were considered and addressed. No remedy or resolution is needed.

Snags and Down Wood

Overview and Objector's Suggested Remedies: This objection issue surrounds the concern that Objector OW has over potential impacts to snags and down wood. Their suggested remedy is to "issue a

clear decision that complies with the Northwest Forest Plan standards & guidelines, avoids commercial logging and road building in mature native stands in LSRs, riparian reserves, and unroaded areas >1,000 acres;" or to "prepare a new EIS to address the significant impacts and unresolved conflicts and fully complies with the requirements of NEPA and the CEQ regulations" and addresses their specific concerns.

Objector Statement #3: Objector asserts that the District violated law, regulation and policy by failing to take a hard look at adverse impacts of logging on the need for abundant snags in reserves. OW at 53-59.

Response: I find that the FEIS and project record documented how the Responsible Official considered potential impacts to snags and down wood.

The regulation at 40 CFR 1502.16 requires that an EIS include the environmental consequences of the proposed action and any alternative.

The FEIS at 309-329 documented the potential direct, indirect and cumulative effects to snags and down wood under the title "Coarse Wood Analysis" and includes both the existing and desired conditions, as well as an assessment of how the project complies with standards and guidelines and the criteria set forth in the LSR assessment for snag habitat.

The analysis clearly documents how each action alternative would potentially impact snags and down wood within the treated areas. The overall effects determination clearly concluded that "The Calf-Copeland Restoration Project is expected to cause a reduction in dead and down wood within some of the proposed units. However, the proposed activities account for only 2 percent of land within the Middle North Umpqua Watershed, and these activities are not expected to have a meaningful change to the current distribution of coarse woody debris within the watershed following treatment." FEIS at 329.

Final Remedies/Resolution for Snags and Down Wood: The FEIS and draft ROD documented how potential impacts to snags and down wood were considered and addressed. No remedy or resolution is needed.

Road Impacts on Reserves

Overview and Objector's Suggested Remedies: This objection issue surrounds the concern that Objector OW has over potential impacts from road building in LSRs. Their suggested remedy is to "issue a clear decision that complies with the Northwest Forest Plan standards & guidelines, avoids commercial logging and road building in mature native stands in LSRs, riparian reserves, and unroaded areas >1,000 acres;" or to "prepare a new EIS to address the significant impacts and unresolved conflicts and fully complies with the requirements of NEPA and the CEQ regulations" and addresses their specific concerns.

Objector Statement #4: Objector asserts that the District violated law, regulation and policy by building roads in LSRs, which they state are adverse to "virtually every aspect of LSR objectives." OW at 36-39.

Response: I find that the FEIS and project record documented how the Responsible Official considered potential impacts to LSRs from temporary road construction.

The regulation at 40 CFR 1502.16 requires that an EIS include the environmental consequences of the proposed action and any alternative. There are no standards and guidelines that prohibit temporary road construction in LSRs.

The FEIS at 62 documents the miles of existing non-system roads used for temporary roads and the miles of new temporary road proposed to be constructed. The FEIS at 66, and 68-69 document the project design features that will minimize impacts from temporary roads.

The FEIS contained a thorough analysis of the potential impacts from temporary road construction and use. The FEIS at 167, 168, 174, 175, 176, 177 documented the potential for temporary road construction to impact soils; the FEIS at 199, 201 and 203 documented potential impacts to water quality/stream temperature; the FEIS at 220, 221 and 224 documented potential impacts to suspended sediment; the FEIS at 225 -226 documented potential impacts to chemical contaminants and nutrients; the FEIS at 227-229 documented potential impacts to physical barriers; the FEIS at 229-231 documented potential impacts to pools; the FEIS at 231-233 documented potential impacts to off-channel habitat, width to depth ratio, streambank condition and floodplains; the FEIS at 233-234 documented potential impacts to peak flows; and the FEIS at 263, 268, 291, and 308 documented potential impacts to wildlife species.

In addition, the response to comments, Appendix K at 607 summarizes these impacts, noting that the project does not propose new permanent system roads and that subsoiling under the action alternatives would reduce legacy compaction as well. Finally, it is important to note that the project proposes to decommission or store up to 8.9 miles of system road and eliminate between 39-70 stream crossings, depending on the selected alternative. The emphasis on restoring aquatic systems and reducing the system road network fully complies with the standards and guidelines for LSRs.

Final Remedies/Resolution for Road Impacts on Reserves: The FEIS and draft ROD document that no new permanent roads are proposed and that the Responsible Official took a hard look at the potential impacts from temporary roads. No remedy or resolution is needed.

Unroaded Areas

Overview and Objector's Suggested Remedies: This objection issue surrounds the concern that Objector OW has over potential impacts to unroaded areas greater than 1,000 acres. Their suggested remedy is to "issue a clear decision that complies with the Northwest Forest Plan standards & guidelines, avoids commercial logging and road building in mature native stands in LSRs, riparian reserves, and unroaded areas >1,000 acres;" or to "prepare a new EIS to address the significant impacts and unresolved conflicts and fully complies with the requirements of NEPA and the CEQ regulations" and addresses their specific concerns.

Objector Statement #5: Objector asserts that the District violated law, regulation and policy by failing to take a hard look at the disproportionate adverse effects of logging on significant ecological values provided by large (>1000 acres) unroaded areas. OW at 46-53.

Response: I find that the Responsible Official considered potential impacts to areas that do not contain roads as suggested by the objector.

The regulation at 40 CFR 1502.16 requires that an EIS include the environmental consequences of the proposed action and any alternative.

In the response to comments, Appendix K at 605, the District specifically addressed the objectors concern noting that "GIS analysis was completed to identify lands between 1,000 and 5,000 acres with

unroaded characteristics. This analysis identified two areas that fit that criteria, however no project activities are planned within those areas.” The response to comments also notes that there is no commercial logging proposed in Inventoried Roadless Areas; only 43 acres of small diameter non-commercial thinning is proposed in IRAs and the potential impacts from that activity are adequately addressed in the FEIS at 417-419.

Final Remedies/Resolution for Unroaded Areas: The FEIS documented that the Responsible Official took a hard look at the potential impacts to unroaded areas of concern by the objector and that there would be no impacts to the two areas that fit the criteria set forth by the objector. No remedy or resolution is needed.

Climate Change/Carbon

Overview and Objector’s Suggested Remedies: This objection issue surrounds the concern that Objector OW has over the project’s impacts on carbon emissions, carbon storage and climate change. Their suggested remedy is to “issue a clear decision that complies with the Northwest Forest Plan standards & guidelines, avoids commercial logging and road building in mature native stands in LSRs, riparian reserves, and unroaded areas >1,000 acres;” or to “prepare a new EIS to address the significant impacts and unresolved conflicts and fully complies with the requirements of NEPA and the CEQ regulations” and addresses their specific concerns.

Objector Statement #6: Objector asserts that the District violated law, regulation and policy by failing to take a hard look at the effects of logging on carbon emissions, carbon storage and climate change. OW at 44-46.

Response: I find that the Responsible Official considered potential impacts to and from climate change.

The regulation at 40 CFR 1502.16 requires that an EIS include the environmental consequences of the proposed action and any alternative. Current direction for addressing climate change issues in project planning and the NEPA process is provided in the document Climate Change Considerations in Project Level NEPA Analysis (USDA 2009).

The FEIS at 425-428 addressed climate change and carbon as required by agency policy. The response to comments, Appendix K at 611-612 also documents that the District acknowledged both the short term and long term impacts of the proposed treatment on climate change and carbon. The response also clarified that under no action, trees would be left onsite to continue to grow and absorb carbon and that there would be no impact on the baseline condition under no action.

Final Remedies/Resolution for Climate Change/Carbon: The FEIS documented that the Responsible Official complied with agency direction on analyzing climate change and carbon. No remedy or resolution is needed.

Response to Comments

Overview and Objector’s Suggested Remedies: This objection issue surrounds the concern that Objector OW has over the District’s response to comments. Their suggested remedy is to “issue a clear decision that complies with the Northwest Forest Plan standards & guidelines, avoids commercial logging and road building in mature native stands in LSRs, riparian reserves, and unroaded areas >1,000

acres;" or to "prepare a new EIS to address the significant impacts and unresolved conflicts and fully complies with the requirements of NEPA and the CEQ regulations" and addresses their specific concerns.

Objector Statement #7: Objector asserts that the District violated law, regulation and policy by failing by failing to adequately respond to comments. Objector asserts that there were "few public comments that resulted in significant changes to the final EIS" and believes that the agency failed to respond to substantive comments that they raised. OW at 85-86.

Response: I find that the Responsible Official complied with the regulation regarding responding to comments on a draft EIS.

The regulation at 40 CFR 1503.4 requires the agency to respond to comments that were submitted on a draft Environmental Impact Statement. The regulation lists possible responses which include: modifying alternatives; developing and evaluating alternatives not previously given serious consideration; supplementing, improving or modifying the analysis; making factual corrections; or explaining why the comments do not warrant further agency response.

Appendix K of the FEIS was prepared to respond to comments on the DEIS and contains adequate responses to the fourteen unique comment letters that were submitted during the 45-day comment period. Appendix K at 548-619. Appendix K documents that the Responsible Official did indeed respond to the objector's comments, as indicated by all of the responses to their letter, which was listed as letter number 14.

Appendix L of the FEIS lists the changes that were made between the draft and final EIS, including changes that were in direct response to comments that were made. The appendix also lists where factual corrections were made, all in compliance with the regulation. FEIS Appendix L at 620-622.

Final Remedies/Resolution for Response to Comments: The FEIS documented that the Responsible Official complied with agency direction on responding to comments. No remedy or resolution is needed.