

February 10, 2020

To: Objection Review Officer
Forest Supervisor, Tom Montoya
Wallowa Whitman National Forest
Attn: 1570 Appeals and Objections
1550 Dewey Ave, Suite A
Baker City, OR 97814.

Via: <https://cara.ecosystem-management.org/Public/CommentInput?Project=54613>

Re: **36 CFR 218 Objection to the Cold Elk Range Analysis**

Dear Reviewing Officer:

Pursuant to 36 CFR 218, Greater Hells Canyon Council (GHCC) submits the following objections to the Cold Elk Range Analysis (CERA) Environmental Assessment (EA) and Draft Decision Notice (DN). GHCC is a non-profit organization based in La Grande, Oregon that represents over 1000 members and supporters. GHCC has worked to monitor and protect the Wallowa-Whitman National Forest and the Hells Canyon National Recreation Area (HCNRA) for over 50 years. GHCC is committed to the protection and restoration of forest conditions and wildlife habitat throughout the Greater Hells Canyon Region. GHCC actively participates in Forest Service proceedings and decisions concerning the management of public lands within the WWNF and the HCNRA and monitors the ecological conditions of these areas. GHCC files this objection pursuant to issues raised in our October 2018 scoping comments and our November 2019 comments on the Draft EA. We request a meeting to discuss potential resolution of the issues raised in this objection.

The proposed decision, Alternative 2, authorizes livestock grazing within the Cold Spring and Teepee Elk Allotments of the Cold Elk Range Analysis project area, and closes the Lost Cow Allotment. The Responsible Official for the project is Kris Stein, Wallowa Valley District Ranger. The CERA area is located in Wallowa County approximately 48 miles north of Enterprise, Oregon and encompasses 38,800 acres of National Forest System lands on the Wallowa Valley Ranger District within the Wallowa-Whitman National Forest (WWNF) and the Hells Canyon National Recreation Area (HCNRA). The project area is located entirely within the Nez Perce Tribe's aboriginal territory.

OBJECTIONS

GHCC supports the closing of the Lost Cow Allotment. Closing this allotment will have a negligible impact of animal month units, is currently vacant, and will reduce conflicts with adjacent landowners. However, some issues raised in our scoping comments and comments on the Draft EA, remain unaddressed.

In general, the Draft DN does not do enough to address impacts on climate change, ensure the protection of important water resources like springs and streams or provide for compatibility with fish and wildlife. It contains no coherent monitoring plan and is in violation of the NEPA, the National Forest Management Act (NFMA) and the HCNRA Act.

Specifically, we object to violations of 1) NEPA's requirement to look at a reasonable range of alternatives and take a "hard look"; 2) the HCNRA Act; and 3) NFMA's requirement to follow the WWNF Forest Plan and HCNRA CMP's substantive requirements including PACFISH.

In order to remedy these objection points we request that HCNRA regulations be promulgated; an EA or EIS is prepared that complies with NEPA and demonstrates that the WWNF Forest Plan and the HCNRA CMP's substantive requirements are being met by the selected alternative; and a decision is issued that better balances livestock grazing with the Forest Service's duty to protect soils, native plants, and important fish and wildlife habitat.

1. Violation of NEPA's requirement to look at a reasonable range of alternatives and take a "hard look."

In our previous comments we requested that the Forest Service look at all reasonable alternatives and consider, in detail, an action alternative that would reduce grazing levels, implement a rest-rotation schedule, and other management techniques that will prioritize the management and enhancement of natural resources, listed species, water quality, streamside areas, and rare and endemic plants *as required by the WWNF Forest Plan and the HCNRA CMP*. Such an alternative was not considered, instead it was summarily dismissed. According to the EA, such an alternative was not analyzed in detail because "the proponent" did not offer any specific information for this alternative, such as head months or areas to eliminate or add grazing.

The Forest Service is responsible for managing these allotments. The information provided about these allotments at scoping was sparse. The agency did not disclose enough information for the public to comment with the level of specificity the agency claims must be provided in order for them to look at a reasonable range of alternatives. Thus, the Forest Service has failed to meet NEPA's requirement to "[r]igorously explore and objectively evaluate all reasonable alternatives" in order "to restore and enhance the quality of the human environment and avoid or minimize any possible adverse effects of [the agency's] actions upon the quality of the human environment" (40 C.F.R. §§ 1502.14(a), 1500.2(f)).

Here the Forest Service also failed to "hard look" at the environmental consequences of the three developed alternatives on soil health, climate change and a no grazing alternative. A failure to do is also a violation of NEPA.

2. Violation of the HCNRA Act.

As we outlined in our previous comments on the CERA project and other correspondence with the WWNF, we believe any management decisions regarding activities within the HCNRA are invalid until new regulations are promulgated that meet the requirements of NEPA and the

HCNRA Act. The WWNF must complete this action prior to approving any management decisions in the HCNRA. This issue was not addressed in the project record despite GHCC raising it throughout the NEPA process for the CERA project.

3. Violation of NFMA's requirement to follow the WWNF Forest Plan and HCNRA CMP's substantive requirements including PACFISH.

Having a soil specialist take a look at the project area and assess whether or not it is meeting WWNF Forest Plan and the HCNRA CMP is needed prior to issuing a final decision for this project. The WWNF Forest Plan and HCNRA CMP both have substantive requirements to protect soils. The EA does not demonstrate compliance with these requirements.

The Multiple Indicator Monitoring proposed does not appear to ensure that PACFISH Resource Management Objectives (RMOs) are being achieved across the project area especially since based on past monitoring it is unclear whether RMOs are currently being met. Throughout the EA and associated documents, it is clear that monitoring is only happening intermittently and opportunistically. Existing conditions for the whole project area appears to have gaps. The data that has been collected shows declining RMOs. Prior to a final decision being issued the Forest Service must provide quantitative monitoring data demonstrating that PACFISH standards will be met under the selected alternative.

Sincerely,

/s/

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