



YOCKIM CAROLLO L L P
LAND • WATER • WILDLIFE | NATURAL RESOURCE LAW

630 S.E. JACKSON STREET, SUITE 1, P.O. BOX 2456, ROSEBURG, OR 97470 | PHONE: 541-957-5900 | FAX: 541-957-5923 | WWW.YOCKIMLAW.COM

DOMINIC M. CAROLLO, PARTNER
EMAIL: DCAROLLO@YOCKIMLAW.COM

June 4, 2020

Via Email Only: objections-pnw-umpqua@fs.fed.us

Alice Carlton, Forest Supervisor
Umpqua National Forest
2900 N.W. Stewart Parkway
Roseburg, OR 97471

Re: Objection to Calf-Copeland Restoration Project Propose Decision and Environmental Impact Statement

Objector:

Douglas County Board of Commissioners
1036 S.E. Douglas Avenue, Room 217
Roseburg, Oregon 97470
Phone: 541-440-4201

Objector's Designated Representative:

Dominic M. Carollo, Esq.
Yockim Carollo LLP
630 S.E. Jackson Street, Suite 1
P.O. Box 2456
Roseburg, OR 97470
Phone: 541-957-5900

On behalf of the Douglas County Board of Commissioners (“Douglas County”), and pursuant to 36 C.F.R. § 218.7, please accept this objection to the proposed draft decision for the Calf-Copeland Restoration Project and Final Environmental Impact Statement (“FEIS”). Previously, Douglas County submitted written comments in response to the Scoping Notice and Draft EIS, and the issues raised in the following objection are based on these previously submitted comments and, thereby, are in adherence with 36 C.F.R. § 218.7(c)(2)(ii). North Umpqua District Ranger, Sherri Chambers, is the responsible official. The Calf-Copeland Restoration Project (“Calf-Copeland”) occurs on the North Umpqua Ranger District in the Umpqua National Forest.

I. General Statement of Reasons for Objection.

As explained in Douglas County’s previously submitted comments, Douglas County encourages the Forest Service to amend the draft record of decision to select Alternative 4, as it is the only Alternative that:

(a) adequately addresses the stated purposes for this action which are important to the health of Douglas County, and

(b) opposes the Forest Service's selection of Alternative 3, because it involves the unnecessary closure and/or decommissioning of roads and inhibits public access. Likewise, Douglas County opposes the Forest Service's failure to incorporate a transparent analysis of the level of County receipts that would be generated under each Alternative.

II. Draft Record of Decision Should be Amended to Select Alternative 4.

One of the stated primary purposes of this project is to reduce the risk of catastrophic wildfire, and Douglas County generally supports this objective. An inadequately managed forest leaves the surrounding County and private lands at risk of wildfires, which perpetually threaten the health, safety, and livelihoods of Douglas County residents. It is a well-understood reality in natural resource and wildland fire management that vehicular access is a crucial element in mitigating risk factors for catastrophic wildfire.

The primary difference between Alternative 3 (selected by the Forest Service as the preferred Alternative) and Alternative 4 is the elimination of road access into and within the project area. Alternative 3:

- eliminates 70 stream crossings,
- decommissions or stores 8.9 miles of road within Riparian Reserve,
- closes and places into storage 2.8 miles of roads currently designated as motorized trails,
- closes and places into storage 17.6 miles of road currently designated as open to all vehicles,
- changes 3 miles of roads currently open to all vehicles to motorized trails only, and
- reduces the total mileage of roads categorized as being available for fire or initial attack, as well as those categorized as roads available for land management activities.

Under Alternative 4, all of these changes and/or reductions are enforced to a lesser extent.

Given the inveterate standard of increased access, which means increased fire suppression and fire resilience management, the road closures and decommissioning pursuant to Alternative 3 and overall reduction to access into and throughout the project area renders Alternative 4 superior with respect to adherence to the stated purpose of reducing the risk of catastrophic wildfire. While increasing access for the purposes of fire mitigation is crucial, Douglas County residents have also made it abundantly clear, in particular, during the Forest Service's past travel management planning, that they oppose any further restrictions to road access within the Umpqua National

Forest. The public has expressed a clear desire for these roads to remain open and clear opposition to further constraints on access into and within the National Forest within which this community recreates and works.

In summary, while Douglas County supports the Forest Service treating the project area to reduce the risk of catastrophic wildfire at the current harvest thresholds and management levels within Alternative 3, the decreased levels of access restriction in Alternative 4 are clearly superior with respect to the stated purpose of this project. As such, Douglas County requests that the Deciding Official revise the decision to select Alternative 4, instead of Alternative 3.

III. Further Economic Analysis is Necessary.

Douglas County urged the Forest Service to supplement the FEIS with a transparent analysis of the level of County receipts that would be generated under each Alternative in its previously submitted comments on this project. In the Forest Service's response to these comments, it states that it "does not typically commit to the method that wood products would be disposed of during project planning[.]" and that "the DEIS estimated that there would be at least three individual timber sales that would be offered at public auction, which gives the Forest flexibility in determining whether a traditional timber sale or stewardship contract would be used." FEIS at 610-611. Douglas County cannot see why commitment to traditional timber sales would inhibit any discernable aspect of this project in any way, or why the Forest Service needs to maintain flexibility in determining whether a sale or a stewardship contract should be used when traditional timber sales actuate the purpose of the project.

Disclosure of estimated County receipts is imperative to ensure that the Forest Service does not employ stewardship contracts in the implementation of this project, because stewardship contracts do not generate County receipts. Thus, the alleged purpose of "maintaining flexibility" in choosing between traditional timber sales and issuance of stewardship contracts is effectively to maintain the option to forego timber sales entirely and, thereby, foreclose entirely on any generation of County receipts. While the FEIS is clear in that the overall return to the treasury is expected to cover the 25% payment to the County, the FEIS must be supplemented to provide the public a transparent explanation of how and to what extent this project will contribute to County receipts. In Douglas County, timber receipts have a direct relationship with the local economy and social welfare. Without a tactile analysis or estimation of any kind, this commitment would be functionally meaningless, should the Forest Service decide upon the issuance of stewardship contracts in lieu of traditional timber sales. As such, Douglas County urges the Deciding Official to revise the decision to include a commitment to the selection of traditional timber sales and/or a clear and thorough explanation of the project's impact, as currently proposed, on County receipts.

IV. Request for Resolution Meeting.

Pursuant to 36 C.F.R. § 218.11, Douglas County requests to meet with the reviewing officer to discuss the issues raised in this objection and potential resolution. In the event multiple

Calf-Copeland Objection

June 4, 2020

Page 4

objections are filed on this decision, the County requests that the resolution meeting be held with all objectors present.

Sincerely,

A handwritten signature in black ink, appearing to read "DMC", with a long horizontal stroke extending to the right.

Dominic M. Carollo

Attorney for the Douglas County Board of Commissioners

DMC/le