

Attn: Oak Knoll Range Project Objections  
Patricia Grantham, Forest Supervisor  
1711 South Main Street  
Yreka, CA 96097

***RE: Oak Knoll Range Project Objection as per 36 CFR 218.8***

- Project Name: Oak Knoll Range Project
- Responsible Official: District Ranger Jeremy Sullens
- Happy Camp/Oak Knoll Ranger District

Thank you for accepting this Objection pursuant to 36 CFR § 218 from the Klamath Forest Alliance-Siskiyou Field Office and the Applegate Neighborhood Network concerning the Oak Knoll Range Project Draft Decision Notice.

**Scope of this Objection**

As per 36 CFR § 218 this Objection applies to the draft decision to authorize livestock grazing on the East Beaver, Hornbrook and Ash Creek grazing allotments. These allotments were collectively analyzed as the Oak Knoll Grazing Project.

**Objection Introduction**

We will begin formal Objection to the Oak Knoll Grazing Project Draft Decision Notice by stating that public land grazing is a right not a privilege, yet KNF land managers failed to consider this basic fact when considering the reauthorization of the Oak Knoll Range Project. This attitude has in turn biased the NEPA process, limited relevant analysis and rigged the Purpose and Need towards one inevitable outcome, the re-authorization of passive, season long grazing in the Oak Knoll Planning Area.

This outcome economically benefits exactly three families, while degrading public resources for the majority of public land users and American citizens, who are stakeholders in this land. The Oak Knoll Range Project EA and the Draft Decision Notice completely failed to analyze, acknowledge or consider many relevant issues, including those raised during the EA comment period. This failure is partially due to an institutional bias towards relatively unmanaged public land grazing and a narrowly defined Purpose and Need that inappropriately precluded the analysis of relevant issues, cumulative impacts and/or the unique values of the Siskiyou Crest region.

Due to the objection points listed below, the Klamath Forest Alliance-Siskiyou Field Office and the Applegate Neighborhood Network formally object to the Draft Decision Notice. We request additional NEPA analysis to address the many relevant issues, substantive comments and specific concerns raised during the EA comment period and Objection Process. We believe the level of cumulative impacts, the unique nature of the landscape as a connectivity corridor and climate refugia, the location of numerous Botanical Areas within the planning area, the many important biological values, and the large geographic area impacted by the proposed

authorizations in the Oak Knoll Range Draft Decision Notice requires further examination through a full Environmental Impact Statement (EIS).

Below are Objection Points and proposed Resolutions:

**1) The agency failed to provide a Scoping Comment Period in preparation of the Oak Knoll Range Project EA.**

The KNF failed to provide a scoping comment period in preparation of the Oak Knoll Grazing Project EA. Previous scoping comments are out of date and did not allow the public to consider actual environmental conditions, changed circumstances and recent scientific research. The lack of scoping for such an important project affecting almost 50,000 acres of public land is a violation of NEPA standards for public involvement. It is also directly related to the many problems with the Oak Knoll Grazing Project EA, the inadequacy of its analysis, and the agencies failure to consider a multitude of relevant issues.

Scoping must be utilized early in the public planning process to identify potentially substantive or relevant issues and a range of alternatives for further NEPA analysis. The Oak Knoll Range Project failed to implement scoping and subsequently significant relevant issues and potentially appropriate action alternatives were not considered in the Oak Knoll EA or Draft Decision Notice. This lack of analysis makes the Draft Decision Notice invalid and inconsistent with NEPA requirements to conduct credible science based, site-specific analysis and meaningful public involvement.

**Objection Resolution Point #1:**

The Oak Knoll Range Project EA and Draft Decision Notice should be withdrawn. The public involvement process was lacking for this project, no scoping comment was offered and because of this, the Draft Decision does not represent the broader public interest. The many relevant issues in our EA comments and in this objection should be analyzed in a full EIS.

**2) The Purpose and Need for the Oak Knoll Range Project was too narrow and biased towards livestock grazing. The Purpose and Need limited alternative development and NEPA analysis, while failing to consider the broader public interest in the Oak Knoll Planning Area and on the Siskiyou Crest.**

The Purpose and Need for the Oak Knoll Grazing Project was so narrowly focused, pre-decisional and biased towards livestock grazing that alternative development and NEPA analysis fails to reflect the broader public interest and the unique biological values of the Siskiyou Crest region. The Purpose and Need unjustifiably elevated livestock grazing and the economic interests of three families (the permittees) above the values, needs and interest of every other American citizen, the local ecology, as well as the local recreation and tourism economy.

Currently the EA identifies the following Purpose and Need:

*“The purpose of the proposed action is to provide for continued livestock grazing in the East Beaver, Hornbrook, and Ash Creek Allotments on the Klamath National Forest. The agency is directed to meet multiple-use objectives, including managing forage producing National Forest lands for livestock grazing (36 CFR 222.2(c)). There is a public demand from qualified livestock operators for continued livestock grazing in these allotments. Further, the allotments were determined by the Klamath National Forest Plan (Forest Plan) (1995, as amended) to be suitable for commercial livestock grazing (p. 4-56). The need to continue authorized commercial livestock grazing must be met in a manner that is consistent with agency direction and policy.”*

Notice that the Purpose and Need acknowledges absolutely no public values except commercial livestock grazing and absolutely no biological values. The Purpose and Need mentions “multiple use objectives,” but fails to adequately acknowledge or consider other uses of National Forest lands except livestock grazing. This oppressively narrowly Purpose and Need leads to only one outcome, limits alternative development and ignores the mandates of Land Use Allocations such as designated Botanical Areas and Special interest Areas. It also fails to consider multiple use recreational values, botanical diversity, and compliance with the desired conditions identified in the KNF Forest Plan.

The stated purpose to “continue livestock grazing” is pre- decisional, demonstrates bias, inappropriately narrows NEPA analysis, shows a lack of objectivity by KNF land managers and provides little to no decision space for the responsible official. NEPA is intended to scientifically analyze and compare action alternatives, promote public involvement, and publicly disclose project impacts. It also requires the analysis of a no action alternative to properly consider potential cumulative impacts. In this case, the no action alternative was not adequately considered or properly analyzed.

In fact, the Purpose and Need for this project makes nearly all mitigation measures proposed to protect public resources, outside the scope of project activities. As the purpose and need is currently identified, only a re-authorization of livestock grazing would meet the purpose of the project, making analysis, alternative development and the final decision a forgone conclusion, rather than an objective question for NEPA analysis.

In our EA comments, we recommended a Purpose and Need statement that acknowledges public land grazing as a valid multiple use, but also acknowledges those other uses relevant to the planning area. More specifically, we proposed the following Purpose and Need:

*The purpose of the proposed action is to meet management objectives identified in the Forest Plan for the Oak Knoll Planning Area; this includes a need to provide for continued livestock grazing in the East Beaver, Hornbrook, and Ash Creek Allotments on the Klamath National Forest, as well as the protection of botanical resources in designated Botanical Areas, recreational values along the Pacific Crest Trail, coho salmon habitat on Beaver Creek and the maintenance or restoration of ecosystem values identified as desired conditions in the KNF Forest Plan. The agency is directed to meet multiple-use objectives, including a wide variety of resource values and user groups. There is a need to consider the reauthorization commercial livestock values in a manner that is consistent with agency direction and policy in the planning area, while maintaining, restoring or protecting other multiple use values.*

In the Draft Decision Record District Ranger, Jeremy Sullens provided the agency's "Decision Rationale" stating,

*"When compared to the no action alternative, the selected alternative will best meet the purpose and need to provide for continued livestock grazing in the East Beaver, Hornbrook, and Ash Creek Allotments. The no action alternative does not meet the purpose and need of the project.*

*I have weighed concerns brought forward by the public along with the multiple use mission of the agency and direction in the Klamath National Forest Land and Resource Management Plan (1995, as amended; Forest Plan). The Forest Service is directed to meet multiple-use objectives, including managing forage producing National Forest lands for livestock grazing (36 CFR 222.2(c)). There is a public demand from qualified livestock operators for continued livestock grazing in these allotments. Further, the allotments were determined by the Forest Plan to be suitable for commercial livestock grazing (p. 4-56)".* Again, not a single social, public or biological value is mentioned or even acknowledged in the Draft Decision Record except livestock grazing.

Apparently, the Siskiyou Crest and its unprecedented biodiversity, connectivity, and wildland values were not considered. The unique public, biological, and recreational values of the Siskiyou Crest are being treated as a private feedlot in Oak Knoll Range Project EA and Draft Decision Notice. We believe the Draft Decision Notice is inappropriate because it fails to consider the broad range of public values found on the Siskiyou Crest and in the adjacent watersheds.

The "Decision Rationale" also identifies only economic values associated with livestock grazing. The Draft Decision Notice speaks of "*local ranchers and the local economy*" and claims "*many local ranchers rely on Forest Service grazing allotments*", but fails to mention that only three ranch families will actually benefit from this commitment of nearly 50,000 acres of federal land. In fact, the claim that "many" local ranchers benefit from Forest Service grazing allotments is inaccurate. The vast majority of active ranches in SW Oregon and NW California operate entirely on private land. In fact, National Forest grazing allotments in the RRSNF and KNF benefit only a few dozen permittees in an area extending from Jackson, Josephine and Curry County in Oregon to Siskiyou County in California and creates very few jobs.

Although all grazing authorized under the Draft Decision Notice is located in Siskiyou County, the document specifically mentions the comments of Jackson County Commissioners that support livestock grazing and its contribution to the local economy. Yet, the Draft Decision fails to consider that farming, fishing and forestry are associated with only 2% of the jobs in Jackson County, Oregon in 2017. (source: <https://datausa.io/profile/geo/jackson-county-or/>). Public land grazing is likely far less than a fraction of 1%. The Draft Decision Notice also fails to mention that none of the permittees affected by the decision of the Oak Knoll Grazing Project are located in Jackson County, Oregon.

The decision likely effects less than 5 seasonal jobs, during the summer months, and provides for a total of three ranching families. In Siskiyou County, farming, fishing and forestry account for only 5.16% of the jobs in the area in 2017. Of that 5.16%, of which public land grazing is likely

less than 1%. Public land grazing represents very few jobs in the region and represents very little potential future job creation.

Arguing economic benefit is arbitrary, capricious and demonstrates bias in the planning and decision making process. The economic benefits of the Oak Knoll Grazing Project were significantly overstated and were not realistically considered in the Oak Knoll EA or Draft Decision Notice. The Draft Decision Notice and EA analysis also fails to consider the many significant economic values associated with recreation and tourism. These values are negatively impacted when high quality recreational opportunities like the PCT are degraded by private cattle.

We believe the Purpose and Need and the Draft Decision Notice represent a biased, one-sided analysis that is inconsistent with the existing KNF Forest Plan and some designated land use allocations. The identification of a Purpose and Need with only one potential outcome is inconsistent with the intent of NEPA to balance public values and consider a broad range of alternatives and cumulative environmental impacts.

## **Objection Resolution Point #2:**

We believe the Oak Knoll Grazing Project should reauthorize scoping and create an EIS with a more balanced, unbiased Purpose and Need. The Purpose and Need should be similar to the one we proposed in our EA comments and should address a broad range of public and biological values. Multiple use management requires actually considering multiple uses and the broader public interests.

### **3) The Oak Knoll Grazing Project EA and Draft Decision Notice failed to adequately consider the many unique values of the Siskiyou Crest region and Land Use Allocations meant to protect those values.**

Our EA comments highlight the many unique social, recreational and biological values of the Siskiyou Crest region, none of which were adequately analyzed in the EA or considered in the Draft Decision Notice. Our comments also provided detailed scientific information and citations demonstrating the biodiversity, connectivity, botanical, recreational and other important public values found on the Siskiyou Crest. Ironically, these values are what define the Siskiyou Crest region, but were not considered relevant issues in EA analysis or in the Draft Decision Notice.

Instead, in the Decision Rationale the agency almost completely fails to mention any public values except livestock grazing. The two minor exceptions include monitoring for impacts, but not necessarily mitigating the damage to scenic, recreational and biological resources on the PCT at Sheep Camp Spring. The other exception is a cattle exclosure on Cow Creek to protect coho habitat. The rest of the nearly 50,000 acres with high biological values and affected by the project were not given adequate consideration

The many important botanical, watershed and biological values identified in our comments went largely unaddressed in EA and Draft Decision Notice analysis. This includes the management of

Land Use Allocations such as Botanical Areas and the consistency of authorizations in the Draft Decision Notice with the KNF Forest Plan.

For example, relatively large portions of the planning area and the adjacent “drift” area have been designated as Botanical Areas. The Draft Decision Notice fails to even mention Botanical Areas and essentially nothing in the EA acknowledges a need for specific management protocol based on the Standards and Guidelines for Botanical Areas. Likewise nothing in the EA or Draft Decision Notice identifies how the agency will protect sensitive and rare species within designated Botanical Areas. This is a violation of the Forest Plan and is inconsistent with Botanical Area management.

Adjacent drift areas on the RRSNF also include numerous designated Botanical Areas and the Siskiyou Crest Special Interest Area. The authorizations in the Draft Decision Notice fail to effectively reduce cattle drift and provide no information on how the RRSNF Forest Plan Standards and Guidelines for these Botanical Areas or Special Interest Areas will be met. This is particularly important because the KNF Forest Plan directs the agency to manage Special Interest Areas on the Siskiyou Crest “jointly” with the RRSNF.

Our comments raised legitimate concerns about livestock grazing in Botanical and Special Interest Areas. We also identified specific Standards and Guidelines in both the RRSNF and KNF Forest Plan that are applicable to this project but were not considered. When these Forest Plans were created Botanical Area Management Plans were mandated for each specific area. Only the Dutchman’s Peak Botanical Area Management Plan was ever created. This plan directed the agency to manage cattle in a way that “benefits” or “maintains” the botanical resource, identifies forage utilization standards based on this direction and allows for adjustment from *“limited or no livestock grazing to seasonal use to benefit the targeted species.”* Nothing in the EA or Draft Decision Notice demonstrate that the agency will be benefitting botanical resources or adjusting forage utilization standards, seasonal use patterns, AUMs or using other tools to meet Forest Plan Standards and Guidelines.

### **Objection Resolution #3:**

An EIS should be developed to address the unique botanical, connectivity, wildland, wildlife and other biological values of the Siskiyou Crest. Action Alternatives should be developed that directly address the management of these important public and biological values.

Action Alternatives and NEPA analysis should also reflect the need to identify specifically how KNF and RRSNF Forest Plan Standards and Guidelines will be met in Botanical Areas and Special Interest Areas. Specific management protocol and monitoring standards must be identified in Special Interest Areas and analyzed in an EIS.

#### **4) The Oak Knoll Grazing Project EA and Draft Decision Notice failed to consider a range of alternatives.**

The Oak Knoll Grazing Project EA failed to consider an adequate range of alternatives. We believe this is largely because of the narrow and inappropriately focused Purpose and Need, a bias in the analysis towards livestock grazing, the failure to solicit public scoping comments and a failure to adequately consider a broad range of public values in the EA. In fact, the EA contained only a Proposed Action and a No Action Alternative. This provided little opportunity to contrast the impacts associated with a range of action alternatives and little opportunity to consider the degree to which various action alternatives address relevant, substantive and applicable issues.

Numerous “*alternatives considered but eliminated from detailed analysis*” clearly addressed the broader public values of the area more comprehensively than the Proposed Action, but were not considered as options in the EA or for the Draft Decision Notice. Likewise numerous important issues identified in our EA comments were not considered in the development of action alternatives.

The decision for this project was actually made as soon as the KNF identified the narrow and inappropriate Purpose and Need and only one action alternative in the Oak Knoll Grazing Project EA. Public comment was conducted, but played no meaningful role in project design, the issues analyzed or in Draft Decision Notice. NEPA was implemented as an afterthought, rather than an objective, fact finding, decision making tool.

The failure to provide a range of alternatives or incorporate detailed, site specific, and scientifically sound public comment into the NEPA analysis is a violation of the public process.

#### **Objective Resolution #4:**

An EIS should be developed with a range of action alternatives which include the following strategies to reduce impacts and reduce cattle “drift” onto the RRSNF.

- 1) a reduction in AUMs
- 2) drift fencing
- 3) a reduction in the grazing season
- 4) full time range riding
- 5) withdrawal of the northern portions of the East Beaver grazing allotment
- 6) more extensive measures to protect public, multiple use values.
- 7) specific management protocol for the benefit of Botanical Areas

**5) The Oak Knoll Grazing Project EA and Draft Decision Notice failed to adequately consider the scope, scale, intensity and frequency of cattle drift and mitigation and/or adaptive management measures will be ineffective at limiting or eliminating cattle drift onto the Rogue River Siskiyou National Forest.**

Neither the EA or Draft Decision Notice will effectively reduce, eliminate or limit cattle drift from the KNF to the RRSNF. Cattle drift is currently impacting headwater streams, designated Botanical Areas, recreation on the PCT and other important public and biological values and currently, no management direction is provided to reduce drift in the Draft Decision Notice.

Although the agency claims that cattle drift is currently being reduced they provide no real evidence or monitoring information to support that claim.

In fact, the information provided in Table. 10 of the EA (p. 24) demonstrates that 2019 was the year with the most documented occurrences of cattle drift and largest number of cattle identified since records started in 2011. It is also important to note that the locations where drift often occurs are very remote, sometimes very rugged and inaccessible making monitoring by agency staff extremely infrequent. **Significantly more drift occurs than is documented and reported by Forest Service staff or the public.** The information provided in Table. 10 in no way accurately depicts the actual extent of drift that annually occurs and skews NEPA analysis.

The EA also states that range conditions are improving in some of the historic drift locations, thus actual drift must be reduced (p.28), yet the EA also clearly notes that RRSNF permittees have largely not used the specific areas mentioned (McDonald Basin and Glade Creek) in recent years. Glade Creek was not utilized by RRSNF permittees between 2001 and 2014, while McDonald Basin has not been grazed since 2002. This lack of passive, season long grazing by herds on the RRSNF is responsible for the improvement in vegetative and riparian conditions, not a reduction in cattle drift. According to Table. 10 cattle drift has increased and simply shifted to more remote locations such as Donomore Meadows.

According to the EA cattle drift monitoring will occur once a week and will be performed by both agency staff and the permittees. It does not provide specific protocol or locations to be monitored. It also does not require the submission of notes, time stamped photographs or other documentation that drift monitoring actually occurred. The exception is that monitoring efforts must be documented if in fact, drift cattle are located. This means that anything could be identified as cattle drift monitoring and nothing allows the public or federal land managers to document the extent to which cattle drift monitoring is actually occurring. We believe the location of monitoring activities, the frequency of monitoring and monitoring protocol should be more specifically spelled out. Finally, the EA requires permittees to promptly remove cattle when drift occurs, but fails to quantify what “promptly” might mean. This needs definition to be enforceable or meaningful.

The vague requirements identified in the EA are unenforceable and will only lead to future conflict. We ask that more specific, quantifiable monitoring standards, protocols, thresholds and adaptive management controls be built into the cattle drift monitoring requirements for the East Beaver Allotment. We also believe that full time range riders should be considered to herd cattle, balance utilization across the allotment, reduce impacts in the allotment, reduce cattle drift onto the RRSNF and increase responsiveness to that drift. Any credible monitoring protocol requires documentation of monitoring activities and occurrences. This documentation as well as all monitoring thresholds and management responses should be quantifiable, accessible and explicit rather than loose, vague, unquantifiable and unenforceable.

Recent monitoring in the nearby Elliott Creek Allotment on the RRSNF (July 2020) found significant early season trespass or “drift” from the KNF. This drift was documented by both KS Wild in Alex Creek (July 10, 2020) and Klamath Forest Alliance in Studhorse Creek (July 13, 2020). KNF cattle had not only reached the Siskiyou Crest before July 15, when high country



grazing is authorized, they had already consumed much of the moist and wet meadow forage up to 2 miles across the RRSNF boundary on Studhorse Creek.

George Sexton of KS Wild reported seven KNF “drift” cattle in Alex Hole, while Luke Ruediger from Klamath Forest Alliance and Applegate Neighborhood Network reported approximately 30 “drift” cattle in Studhorse Creek. At this time, neither the agency response or the permittees have effectively reduced or meaningfully addressed this “drift”. In fact, the agency and permittees could not even find the approximately 30 head of cattle on Studhorse Creek and found only 2 drift cows reported in Alex Creek. These issues involving nearby allotments demonstrates an inability to manage cattle in the rugged landscape of the Siskiyou Crest and an inability to manage or control cattle “drift.” This makes the proposed monitoring protocol unlikely to reduce drift and the associated impacts.

In this situation, no action was taken until at least multiple days after the reported cattle “drift” occurred. According to the agency the permittee drove the road system looking for his cows, but did not walk into the allotment or the canyons where the “drift” cattle were reported. Simply driving forested roads is ineffective monitoring because cattle drift often occurs in remote canyons and high mountain meadows inaccessible by road. If specific locations of drift are documented, permittees should be required to access that location to mitigate “drift” or trespass cattle. If permittees want to manage allotments in rugged, inaccessible terrain, they should be responsible to access those locations either on foot or horseback. These requirements should be explicit in any monitoring protocol.

According to information provided by the Forest Service, only agency staff hiked into the location of the recently reported drift cattle and this occurred 5 to 8 days after the report of “drift” cattle in Studhorse Creek. These efforts did not locate the “drift” cattle, who appear to still be grazing unmanaged in an unknown location. To date, neither the KNF or RRSNF have indicated that these cattle have been located. This is just one example, but it is clear that agency enforcement is ineffective and inadequate and the monitoring and enforcement provisions in the Oak Knoll Range EA and Draft Decision Record are similarly inadequate. Our organizations and others have documented significant unauthorized cattle “drift” from the KNF to the RRSNF. As the agency’s own information demonstrates enforcement and monitoring has not reduced cattle drift. According to Table 10 on page 24 of the EA, reported “drift” has increased in recent years on the Siskiyou Crest. This is in part due to inadequate levels of enforcement and monitoring.

In fact, a 2016 General Accountability Office (GAO) report titled “*Unauthorized Grazing: Actions Needed to Improve Tracking and Deterrence Efforts*,” the GAO found, that the frequency and extent of unauthorized grazing on both BLM and Forest Service land is largely unknown. This is largely due to inappropriate and “*informal*” management techniques that do not include proper documentation under the Federal Records Act and do not meet “*federal internal control standards*.” The agency is required to create clear documentation of “*all transactions and other significant events*” yet regularly fails to do so. The GAO report also found that the “*agencies preferred practice of informally resolving unauthorized grazing*,” which is utilized on both the RRSNF and KNF “*is not provided for under agency regulations*.” This informal resolution generally does not entail adequate documentation and does not track

permittees who repeatedly violate the terms of their allotment and facilitate cattle “drift” or trespass onto the RRSNF.

Specifically, the GAO report also documents that regulations requiring the agency to charge unauthorized grazing penalties, rarely occurs and most forests do not document unauthorized grazing unless penalties are initiated. The public records indicate that neither the RRSNF or KNF implement ‘unauthorized grazing penalties’ as is required in agency regulations. In fact, there is no indication that despite decades of documented “drift” or trespass financial penalties have ever been utilized to encourage compliance. This makes the agency complicit in the regular cattle “drift” or trespass on the Siskiyou Crest.

The monitoring, enforcement and criminal penalties for drift proposed in the Oak Knoll Range EA and Draft Decision Record are insufficient, will not deter future cattle drift, and will not accurately document unauthorized drift from the KNF into the RRSNF. Despite this issue being central to agency analysis, the agency has failed to meaningfully address the issue in the Draft Decision Record or in EA analysis. The agency has provided no credible analysis demonstrating an effective solution to cattle “drift” or trespass is being proposed. This failure to consider key elements of analysis is a violation of the NEPA process.

#### **Objection Resolution Point #5**

Propose and analyze more comprehensive, quantifiable and enforceable cattle drift monitoring protocol (as outlined above) in a new EIS. Make sure this monitoring protocol identifies the frequency and location of required monitoring visits to historic drift areas, as well as the documentation required for all monitoring activities. Create more explicit and quantifiable monitoring protocol, thresholds and adaptive management responses to ensure these provision lead to more enforceable and meaningful outcomes. Commit in the Final Decision to stronger monitoring protocol and deterrent penalties if violations occur. Consider the corrective measures to monitoring protocol identified in Objection Point #5.

#### **6) The Oak Knoll Draft Decision Notice failed to adequately consider the impact of grazing on Management Indicator Species including the Willow Flycatcher and others.**

The Oak Knoll Range Project EA fails to consider the monitoring and survey protocol for numerous Management Indicator Species in the KNF Plan and analysis of impacts to Management Indicator Species and their habitat was completely inadequate.

In particular, we are concerned about the impact of grazing on Willow flycatchers and their habitat. Our EA comments provided numerous scientific studies demonstrating impacts to willow flycatcher populations and habitats from livestock grazing. Yet, the Oak Knoll Grazing Project EA hardly even mentions these KNF sensitive species, except noting that Cow Creek Glade provides the largest expanse of potential willow flycatcher habitat in the allotment.

The EA claims that this habitat is largely intact due to 1940 aerial surveys depicting highly altered environmental conditions. The period between the 1870s and 1920 was likely the most overgrazed time period in this region, when unregulated or under regulated livestock grazing was impacting the entire eastern Siskiyou Crest from Cook and Green Pass to Siskiyou Summit east of Mt. Ashland. Impacts to willow flycatcher habitat associated with the level of overgrazing that occurred would certainly take over 20 years to restore historic conditions. The 1940 “reference condition” used in EA analysis is faulty and provides an accurate depiction of severely overgrazed habitats rather than a model for future management.

Our monitoring in Cow Creek Glade has documented severe impacts to water tables, mass erosion, deep downcutting, degraded willow habitats, riparian areas, and nearly eliminated aspen groves. Rather than being a reference condition the habitats in Cow Creek Glade are some of the most severely degraded habitats in the region and livestock grazing is largely to blame. The above mentioned impacts along with heavy browsing and trailing in otherwise prime willow flycatcher habitat were not adequately considered in the EA or the Draft Decision Notice.

Willow flycatcher breeding surveys required in the Klamath National Forest Plan have not been adequately implemented and the impacts to this species, although severe have not been adequately addressed in the Oak Knoll Range Project EA.

#### **Objection Resolution Point #6**

Conduct a more comprehensive analysis of impacts to Management Indicator Species and their habitat in an EIS for the Oak Knoll Range Project and implement required survey protocol for Management Indicator Species. In particular, create specific monitoring locations and protocol in prime willow flycatcher habitat throughout the Oak Knoll Range Project planning area.

#### **7) The EA and Draft Decision Notice failed to consider the impact of livestock grazing on the PCT.**

The Pacific Crest Trail (PCT) is a national treasure and one of the most cherished recreational resources in the North America. Roughly 16 miles of the PCT traversed the boundary between the KNF and Rogue River Siskiyou National Forest in the East Beaver Allotment and adjacent drift areas. In fact, in many “drift” locations the RRSNF has designated the Siskiyou Crest Special Interest Area to protect biological and recreational values on the Siskiyou Crest and the PCT. Although use of the PCT is perhaps the most popular and common use of the Siskiyou Crest and the surrounding area, with the largest benefit to visitors and area residents, it was not adequately considered in EA analysis or in the Draft Decision Record.

This national treasure was not prioritized for management in the East Beaver Allotment and no specific management protocol address the unique needs of PCT trail users and/or protection of PCT scenic values. In many places popular camping areas and water sources are badly damaged by grazing cattle and the impacts degrade the otherwise world class recreational resource. The EA and Draft Decision Notice failed to adequately consider these impacts and address them with monitoring protocol and mitigation measures.

#### **Objection Resolution Point #7**

A new EIS for the Oak Knoll Grazing Project should identify an alternative with cattle avoidance areas around popular PCT camps and water sources. These areas should be monitored for cattle use and cattle found utilizing these areas should be herded away to other areas away from the PCT.

Additionally, a new EIS should be produced with a more comprehensive analysis of grazing impacts on the PCT, the PCT experience, campsites, water sources and scenery. This world class recreational resource deserves specific management to protect the values people from around the world come to enjoy on the PCT.

**8) Livestock grazing has direct and indirect impacts to coho habitat on Beaver Creek. These impacts should be further mitigated in the Final Decision Notice.**

Without adequate analysis or data the EA claims very little impact on Coho salmon. Yet, the direct impacts of cattle grazing on stream function, habitat values, water quality, etc. are well documented throughout the West and specifically in the planning area. These impacts include loss of riparian cover, bank destabilization, upland erosion, down cutting, impacts to water tables, nutrient loads, sedimentation levels, coho spawning habitats, etc. These impacts occur throughout watersheds starting in the headwater basins so heavily utilized in the planning area, yet were not adequately analyzed in the EA or Draft Decision Notice.

Although we appreciate and support the Cow Creek cattle enclosure proposed in the Draft Decision Notice, we also encourage the agency to minimize impacts downstream to the Hungry Creek corral. Often cattle enclosures are important and useful, but tend to simply move the problem to another location. Impacts could be further mitigated by approving upland corral sites rather than the 4 corrals currently proposed in Riparian Reserves. Temporary upland corrals with piped water troughs could be used during round up to minimize impacts to coho habitat and riparian areas.

The corrals located in Riparian Reserves and currently proposed would impact water quality, bank stability, vegetation, water tables, habitat values and stream shading through browsing, trampling, soil disturbance, erosion, bank failure, and heavy sedimentation. These corrals are proposed on Beaver Creek, Hungry Creek, Long John Creek and Sterling Corrals. Headwater basins adjacent to the Siskiyou Crest are heavily degraded by livestock grazing including severe impacts to stream complexity, vegetation, water tables, water quantity, water quality and habitat values.

**Objection Resolution Point #8:**

A new EIS should more fully analyze the impact of cattle grazing on coho salmon habitats in the Beaver Creek Watershed and should identify an alternative including mitigation measures to reduce the impact of grazing throughout the season.

**9) The management direction in the Draft Decision Notice is incompatible with the National Best Management Practices (BMPs) for pollinators**

The EA and Draft Decision Notice fails to consider the impact of potentially authorized grazing activities on pollinators and their habitat. In fact, pollinators and their habitat are not even mentioned in the EA analysis. This includes rare, sensitive or Management Indicator Species like the Arrowhead Arctic Blue butterfly, Franklin's Bumblebee and the Western bumblebee. Despite the direct impacts of cattle grazing on pollinator habitat, not a single mitigation measure or management directive proposed in the Draft Decision Notice is intended to address pollinators or their habitat.

The Arrowhead Arctic Blue (also known as the Gray Blue or Sierra Blue butterfly) is a Management Indicator Species and its host plant shooting stars are represented by the alpine shooting star in wet meadows across the Siskiyou Crest. Direct impacts to the host plant and mortality due to the trampling of larval form this butterfly are associated with grazing impacts. The species is rare, but confirmed and documented by local butterfly expert Linda Kappen. She has documented occurrences in Silver Fork Glade and Kettle Belly Glade in "drift" areas on the RRSNF and on Cow Creek Glade in the East Beaver Allotment. Yet, the EA failed to adequately analyze or disclose impacts associated with grazing on this species.

The Franklin's bumblebee (listed on the ESA) and the Western Bumblebee (a Management Indicator Species) will also be directly impacted by cattle grazing which reduces habitat values, impacts nectar and pollen sources, alters the hydrology of meadow habitats, impacts dry bunchgrass habitats, both the altering the timing and abundance of flowering species that both these bumblebees depend on. The Siskiyou Crest is prime habitat and the direct impact of cattle grazing within their habitats is undeniable. Yet, neither species was adequately analyzed in the EA.

The agency also failed to consider National Best Management Practices (BMPs) in both the EA and Draft Decision Notice. These BMPs were developed specifically to inform land management activities such as the Oak Knoll Grazing Project.

The BMPs contain the following guidance to land managers, none of which was considered by the KNF in the Oak Knoll Grazing Project:

***“Explanation:*** *Livestock grazing alters the structure, diversity, and growth pattern of vegetation, which affects the associated insect community. Grazing during a time when flowers are already scarce may result in insufficient forage for pollinators. Grazing when butterfly larvae are active on host plants can result in larval mortality and high intensity grazing can cause local loss of forb abundance and diversity.*

***Implementation:*** *The following actions should be considered in rangelands when livestock grazing is present:*

- Determine which types of pollinators and which pollinator habitat elements are affected by grazing livestock.*
- Assess if grazing is compatible with the specific needs of target pollinator species on site, including targeted butterfly species.*

- *Prevent trampling ground-nesting sites by implementing practices to minimize hoof action of grazing animals, which causes soil compaction or erosion in pollinator nesting and shelter patches.*
- *Minimize livestock concentrations in one area by rotating livestock grazing timing and location to help maintain open, herbaceous plant communities that are capable of supporting a wide diversity of butterflies and other pollinators.*
- *Protect the current season's growth in grazed areas by striving to retain at least 50% of the annual vegetative growth on all plants.*
- *Enhance the growth of forbs to ensure their ability to reproduce and to provide nectar and pollen throughout the growing season by setting grazing levels to allow forbs to flower and set seed.*
- *Leave nearby ungrazed areas to provide reserves for pollinator populations.*
- *Prevent grazing during periods when flowers are already scarce (e.g., midsummer) to maintain forage for pollinators, especially for bumble bee species.*
- *In important butterfly areas, avoid grazing when butterfly eggs, larvae, and in some cases pupae are on host plants.*
- *Consider the needs of pollinators when placing range improvements and structures on the landscape.*
- *Ensure that fencing is adequate and well maintained.*
- *Include protection of pollinator species in grazing management plans."*

#### **Objection Resolution Point #9:**

A new EIS should consider the impact of livestock grazing on native pollinators including rare or sensitive species found in the planning area. It should also utilize the National BMPs for pollinators to design management strategies and action alternatives that are consistent with these BMPs and will reduce impacts on pollinator species. Management Indicator Species should also be surveyed for and their habitats protected with specific management protocol.

#### **Objection Point #10: The level of impact proposed in the Oak Knoll Range Project requires a full EIS.**

The level of impact to the unique recreational, biological, botanical, wildlife and connectivity values of the Siskiyou Crest should require analysis through a full EIS. As outlined in our

comments and in this Objection the project proposes significant adverse effects and extreme cumulative impacts across nearly 50,000 acres of public land with unique and important biological values. The project would impact rare, sensitive and Management Indicator Species, designated Botanical Areas, Special Interest Areas, the Pacific Crest Trail, water quality, ESA listed species and many other important social, biological or recreational values. The provisions identified in the Draft Decision Record violate the KNF Forest Plan and in “drift” areas the RRSNF Forest Plan.

**Objection Resolution Point #10:**

Conduct a full EIS analysis which considers the broad range of public values in the area and broad range of impacts associated with livestock grazing in the area.

**Conclusion:**

Thank you for the opportunity to participate in this project. We hope our objection will lead to meaningful resolution of the substantive and important issues outlined in this formal objection.

Sincerely,



Luke Ruediger, Klamath Forest Alliance  
PO Box 1155  
Jacksonville, Oregon 97530  
(541) 890-8974  
[siskiyoucrest@gmail.com](mailto:siskiyoucrest@gmail.com)

Luke Ruediger, Applegate Neighborhood Network  
PO Box 114  
Jacksonville, Oregon 97530