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First name: Bill
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Organization: Baker County
Title: Commission Chair
Comments: Dear Ms. Richardson,

Thank you for the opportunity to provide input into the Draft Environmental Assessment for the Umatilla National Forest Aquatic Restoration project. Baker County is commenting on this proposal as it contains lands that are adjacent to, and share many of the same watersheds, as the Llmatilla National Forest so has the potential to be included in restoration projects.

Due to the significant technical aspects of some of the activities, the potential negative results of treatments, and the use of references that may not pertain to the east side of Oregon, Baker County believes that an Environmental Impact Statement must be prepared.

Baker County supports Alternative 2 with caveats.

First and foremost, the National Forest Management Act (NFMA) requires the U.S. Forest Service (USFS) to coordinate at a government to government level before, and during, the development of actions that will impact local use. Baker County has asserted our rights to coordination with the USFS.

Coordination is a process for government-to-government dialogue that allows for the representation of multiple-users in an evenhanded negotiating manner. Local governing boards have the responsibility of providing for the safety, health and welfare of their citizens, as well as funding public services with tax revenues generated by property taxes. Because of the massive holding of federal land from which no tax revenue is drawn, it is imperative that local elected officials have direct, meaningful input into management that promotes natural resource based income. The desired outcome of the coordination process between government entities is to reach consistency between plans, policies and actions.

Congress placed coordination obligation in the Federal Land Policy Management Act (FLPMA) and defined what steps the agency has to take to coordinate. They felt no need to specifically identify coordination in both FLPMA and NFMA as a definition of the term for management of public lands was thought enough for

management of aff federally managed lands. The Supreme Court of the United States has also stated that unless the term "coordination" was stated to be different between the two Acts, then it would have had to be specifically defined in each.

The Baker County Natural Resources Plan can be' found at:
http://www.bakercountY.org/commissioners/Pdfs/Adop.ted Natqral

Resource Plan 20160620C.rdf

We encourage the U.S. Forest Service to review our Plan so that the Draft EA, as well as the potential EIS, reflects consistency with local land-use policies. If Umatilla National Forest cannot agree that consistency can be met, then a reason for the inconsistency must be documented and submitted to the Couhty.

1.3 Purp9se and Need'

Baker County agrees that the purpose and need to "increase the pace and scale of aquatic ecosystem restoration by providing a more efficient process for implementation of projects" is important. However, the

prDcess must take into account the potential for project failure that would negatively impact the watershed or not be consistent with multiple use.

Maintain adequate flows: Neither (JSFS or Oregon Department of Fish and Wildlife can control the use of water. Water use, point of diversions, removal of headgates or dams that allow for control of irrigation water, and water quantity distribution are all under the authority of Oregon Water Resources. Therefore, the maintenance of adequate minimum flows may not be possible.

Improve rate ofyecovery...by eliminatinogrred n the mpactsof management activities that mav slow rinarian recovery: This should not include that removal of grazing or reduction in recreation, or mining. Mitigation measures would need to be enacted should any of these actions be reduced or eliminated.

Improve or maintain non-stream associated riparian areas: This is. an excellent proposal. By improving ground water-dependent systems, the overall hydrologic regime is affected. In addition, springs can be developed to not only promote riparian health, but also developed for water access for wildlife and livestock.

1.6.1 Issues Eliminated from Detailed Studv

"...exception of road relocations t9 move a segment of open road away from a stream and out of the floodplain." Baker County has an open access policy for roads and trails. We support the relocation of a road to a location outside of the riparian area or floodplain when possible, but not the closure of an open road.

2.2 Alternative 2 [mdash]Proposed Action

Baker County supports the Alternative 2 Proposed Action on lands within Baker county that are adjacent to the Umatilla National Forest with caveats. The increase in number of restoration actions will help to improve aquatic issues in a shorter timeframe. This is an excellent opportunity for the USFS to partner with other groups such as the private property owners, Baker County, the Soil and Water Conservation Districts, the Powder Basin Watershed Council and other state and federal agencies to develop and fund top-notch projects that are mutually beneficial.

2.2.3 Project Prioritization

We applaud your admission that, "an assumption that complete restoration of a watershed is 9ften socially, economically, and/or politically impossible because road systems and other infrastructure will remain intact due to public demands. Therefore, the removal of all disruptions and retuning an entire landscape to a natural disturbance regime is not possible for most watershed." The USFS is mandated to manage forests for multiple uses. This includes the access and use by humans for various activities, this statement reaffirms that principle.

In contrast, by stating, "Over time, however, economic, social, and/or political constraints may go away, allowing additional projects to be implemented and moving the watershed even closer to natural, reference ct[rsaquo]nditions. FTom there, action agencies wil'l direct efforts to complete additional WRAPs in other priority, watersheds with an ultimate objective of creating a network of restored watershed throughout evolutionary significant units (ESA), distinct population segments (DPS), or interim recovery units (IRU)." This entire statement sends the message that the USFS is just waiting for the public to let its gtiard down so they chn remove access and use of the natural resources on public lands. This is completely unacceptable.

The NEPA Compliance and Implementation Checklist for each project and the e[lsaquo]irresponding 60-days to review and comment period on the activities is required and should help to reduce, or allow for mitigation, any

controversy resulting from the proposal of certain activities. While, "Activities may be discussed with collaborative groups, working groups, local and state governments, and private stakeholders based on potential interest as determined by District Rangers or Forest Supervisor", does not reflect the NEPA, FLPMA, and NFMA laws that require coordination with local governments. In addition, it is the public and local officials that dictate potential interest, not the District Ranger or Forest Supervisor that may, or may not, care what the other 'interested' parties might want.

Chapter 3 Environmental Consequences

3.1.1 Past. Present and Future Foreseeable Actio s on the Umatilla National Forest

The list of"future foreseeable" actions (pg 28) is supported by Baker County. Any action that reduces fuel load, increases forest resiliency to fire and insect infestations, and improves recreation opportunities, through commercial harvest, thinning, or other means will be beneficial to the forest as a whole,. including the riparian and aquatic environment.

Thank you for proposal on Little Phillips Creek that will remove a culvert and decommission .07 miles of road while reopening 1- mile of road that is currently closed. Access is imperative to the multiple use mandate.

3.2.3 Affected Environment

The decrease in the USFS's use of pesticides since the 1990's has promoted an increase in noxious weeds and insect infestations that have decimated thousands of acres of public land. This impact has huge effects on upland, riparian, and aquatic ecosystems and must be addressed immediately.

The UNF needs to clarify the statement regarding ODEQ having administrative procedure for transferring water rights. Oregon's Instream Water Right Act Oregon 's 1987 Instream Water Right Aft Was designed to protect instream fiows by establishing instream water rights. The Department ofFish and Wildlife, Parks and Recreation Department, and Department of Environmental Quality can submit applications to protect water instream. More than 900 instream rights have been established thFough this process, and are held in trust on behalfofthe public by the Water Resources Department. These rights are usually set for a certain stream reach or at a specific point on the stream. Instream water rights have an established priority date, which means they can be regulated for in the same way as other out-ofistream water rights. (Oregon's 2017 Integrated Water Resource Strategy)

Roads and Trails: "Impacts of roads and trails were rated based on factors that include open road density, maintenance investment, proximity to water, ...Road management is an ongoing agency emphasis, with national direction for transportation analysis to identify a "sustainable" (economic, social, and ecological) road system, ...Ongoing challenges include desire for public access for various purposes, needs for access for resource management and protections, and diminished funding for maintenance and storage or decommissioning of unneeded roads." Baker County asserts that the National Forests remain an open road system. Roads should not be closed for any reason. Relocation of roads to a more sustainable location out of floodplains or riparian areas is acceptable tp the point that it does not eliminate access to t stream for mining or recreation rights. The importance to keep roads open is demonstrated through the need for access for wildfire protection.

The delay in getting a road re-opened during a fire situation can mean the difference between early control and devastation.

3.2.5 Alternative 1 [mdash] Environmental Effects [mdash] Aquatic Resources

UNF states, "By not decommissioning closed roads, the drainage network of a stream significantly increases.

Roads directly affect the channel morphology of streams by accelerating erosion and sediment delivery and by increasing the magnitude of peak [ntilde]ow. Indirectly, if conditions degrade then habitat for aquatic species will also degrade. The more roads and stream crossings there are, the higher the probability of sediments delivery to streams, negatively affecting the hydrologic function. In addition, roads affect the hydrogiaph and drainage density, increasing peak flows and decreasing low flows. This alternative does not meet the need for protection and improvement of aquatic habitat." Baker County's conc[eacute]rn is that UNF will begin 'closing' roads so that they can be decommissioned. This is iinacceptable. In addition, the studies and documentation relating to this field of study uses the perspective that is based in steep mountain watersheds with high precipitation, forest cover, and road networks constructed for forestry land-use on the western yide of Oregon. Additional studies need to occur on the eastern side of Oregon to validate all of the assumptions made by UNF in their above statement. Roads interact with geomorphic, hydrologic, and ecological processes, however, to what extent do they interact in a warmer, drier forest in which snowmelt contributes to a more sustained -off?

3.2.6 Alternative 2 Environmental Effects Aquatic Resources Habitat Elements Pathway

Large Wood: The use of large wood to influence channel morphology, sediment distribution, and water routing has been shown to be very effective. However, environmental impact can be significant due to failure because of improper placement, size, unsecured LW, or other causes of movement which cause spectacular bank failures, flooding, and channel modification. This practice is one that must be developed and have the oversight of a professional engineer. Also included in the must be engineered category are: gabions, weirs, large bouldef placement, and most in- stream modifications.

Flow Hydrology Pathway

This section promotes "Road and Trail Erosion Control and Decommissioning will provide additional benefits in that they will reduce the drainage rietwork, thus addressing issues...". It also uses studies from the western Cascades that tnay, or may not, pertain to the Blue Mountains of Eastern Oregon.

Studies that snow different conclusions have not been a[lsaquo]fdressed in this draft EA. For example: "The effects ofroads on aquatic habitat are believed to be widespread, although df'rect quantitative cause-effect links are difficult to document. (USDA 2001, Forest Roads: A Synthesis of Scientific Information, Editors Herman Gucinski, Michael J. Fumiss, Robert Ziemer, and Martha H. Brookes) or "Roads have been shown to fncrease, decFease, oF nOt affect peak discharges in various studies in the Pacific Northwest. " (Wright et al, 1990; Ziemer, 1981; Harr et al, 1975, 1979; Kings and Tennyson, 1984)

3.4.5 Alternative 2 [mdash]Environmental Effects - Botany Dry and Degraded Riparian Meadows and Floodplains

"These areas were historically often converted to non-nat)ve perennial forage grasses." By whom? Are you referring to public lands or privately owned properties?

"The distribution and vigor of.sensitive species in these areas before historic impacts began are unknown," also., "historical effects are not quantifiable", and "it is not possible to quantify changes in time to those species pqpulations" illustrates that the USFS is going to try to manage areas and species that they have no, or very minimal data on.

3.6.3 Affected Environment Silviculture

Baker County supports the focus of western juniper removal. Not only will removal influence ground water dependent systems such as springs, but will also help to increase vegetation available to wildlife and livest9ck.

3.9.3 Affected Environment [mdash]Range

Baker County supports the use of National Forests for livestock use. Thinning and prescribed fire in the uplands can be used to increase forage production as well as reduce the risk of wildfire,

while the development of off-stream water or hardened crossings , will further encourage cattle to modify usage of the allotment. We do not support fencing off the stream. It eliminates water availability, increases costs to allottees as well as the USFS for fence installation and maintenance and occasionally causes wildlife-fence collisions resulting in death.

3.11 Recreation

Baker County does not support the increase in acreages included in special use areas such as: Wilderness Areas, Inventoried Roadless Areas, Wild and Scenic Rivers, and others. These areas are not managed Adequately and therefore lead to more a'ggressive wildfires, increase in invasive species, and removal of access to land that has timber and mining potential.

3.11.5 Alternative 2 [mdash]Environmental Effects [mdash]Recreation "Restoration projects could also include activities outside of ripari[auml]n areas [mdash] such as road or trail decommissioning and relocation that has the potentiel to affect some dispersed camping sites or recreational access." Also, "Restoration activities could reduce or eliminate some dispersed sites located in riparian areas." Baker County does not support the decommissioning of roads, or the elimination of dispersed campsites through whatever means. In the Draft EA, UNF states, "Some dispersed sites have been regularly used by the same families or group for generations." Why would you remove a custom and culture of forest users?

"Generally, there would be no changes to the existing travel system as a result of restoration activities, though there is a potential for restoration activities to include relocation of roads or trdils that are open to the public. Existing roads and trails that are open to the public would continue to be available." This statement sounds promising, however, as previously stated, Baker County is concerned that roads will be closed just so they can be decommissioned.

Once again, Baker County thanks you for this opportlinity to provide comments to the Draft Environmental Assessment for the Umatilla National Forest Aquatic Restoration project. We look forward to working with you through coordinatinn and are willing to meet with you to discuss our comments in more detail.