



Olympic Forest Coalition

Promoting the protection, conservation and restoration of natural forest ecosystems and their processes on the Olympic Peninsula, including fish and wildlife habitat and surrounding ecosystems.

COMMENTS ON STUMPY'S RIDE TIMBER SALE 30-88353; FPA 2612041

PRIMARY REQUESTS:

- Conduct a DNR standard, regulation inventory and mapping of the forest stand types. The new inventory needs to cover the whole area of all harvest units and extend out at least 500 feet around each unit. Use this new information to identify marbled murrelet (MM) and Northern Spotted Owl (NSO) habitat currently existing and the role of this habitat in meeting 20/40 requirement of the DNR Habitat Conservation Plan (DNR HCP).
- Redesign and modify or cancel this sale based on this new information.
- Correct the other significant errors and problems identified in these comments, if the sale goes forward in any form.

MAJOR CAVIAT:

OFCO is finding increasing evidence that the habitat descriptions assigned to many stands in the Clallam River LPU do not meet either the descriptions in the HCP, nor those as defined by DNR, nor what we find when we visit them on the ground. There appear to be numerous errors of omission and commission with regard to mapping Structural Habitat. OFCO does not know when the data for the Relationship Studies were gathered, but it was some time before Dec., 2001, when a Power Point presentation was made by Danielle Prenzlou Escene¹ to the DNR. This data is still what is being used, yet conditions change over 12 years. For example, in at least one case what is labeled as Structural Habitat is a 40 year old alder stand, in another case a stand labeled non-habitat is identical to adjacent stands labeled Occupied MM Habitat. All parties need to be sure we are working with accurate habitat data. A meeting is now being scheduled for January, 2013 to discuss this issue with DNR, but inaccurate data must not form the basis of this sale.

OFCO has concerns about the appropriateness of the layout of this and other sales in meeting the required protection of marbled murrelets, or the northern spotted owls through the HCP 20/40. It does not seem to meet the overall intent of the principal working hypothesis for managing landscapes in the OESF, which is to produce a relatively even balance of all stages of forest cover. We observe small islands of habitat next to regeneration harvests. Blowdown in the this habitat is often one result of this pattern, whereas large blocks of habitat could help reduce both depredation from edges and blowdown, and thus be much more likely to survive as useable habitat over time.

EXTENSION:

OFCO has made an effort to be responsible in our comments by reviewing the three unit sale in the summer and fall using the then available size and structure of the sale. Sometime later the sale was completely redesigned to a seven unit sale. A totally new area of 35 acres was added. It

¹Escene, Danielle Prenzlou. Marbled Murrelet Forest Habitat Relationships Studies. January 14, 1999, included the presentation to DNR on Dec. 12, 2001.

is an area where the gate is often locked denying OFCO access. Because of the size and complexity of this revised Stumpy's Ride sale, we formally request an extension of at least two weeks. On Wednesday, Nov. 15, 2012 at 1:55 we received word of an extension through Nov. 21st.

HABITAT: MM & NSO:

UNIT 1 HABITAT: See maps 1-4

OFCO's GIS work shows Unit 1 to be approximately 32.3 acres. Of that 18 acres are older forest (age unknown but inferred to be around ca. 1900). An additional 9.7 acres is from around 1951 (DNR mapped 1948); this is the area that shows a high density of larger, older trees in the 1957 aerial photo. All of this 9.7 acres is currently mapped as low quality adjusted habitat [MM science team database]. The remaining 4.5 acres is from 1950 (based on OFCO's Charley Creek stand age dataset). Please see Maps 1 through 4.

OFCO has found the habitat descriptions and/or mapping units are inconsistent with field and aerial photo evidence. The heart of the unit is a mature, old hemlock stand with no evidence of prior clear cutting. Substantial blocs of timber adjacent to the unit on the South and East have similar stand characteristics, except for having more old of other species than hemlock. These adjacent stands, as well as the leave trees within the unit, will be impacted by the increased exposure to wind, potentially resulting in windthrow following the harvest.

Unit 1 contains a significant amount of old, never harvested habitat, which is identified in the checklist as 112 years old. A substantial number of trees are significantly older than this. This stand may currently meet the requirements for marbled murrelet (MM) habitat or be close to it. It also may meet the requirements for northern spotted owl (NSO) habitat of some kind, or be close to it. If it is close, but lacking some characteristics on some acres, it becomes a good candidate for decadence work such as snag creation. A new inventory of the stand and its characteristics is needed to see, if it has reached habitat condition for MM or NSO or whether a decadence treatment would be needed to reach NSO habitat condition. These determinations are related to making a full and accurate implementation of the Settlement Agreement. If after a new inventory this unit is in fact at least Young Forest Marginal or better, it would require protection under PR 14-004-120.

It is important not to regenerate this habitat and set the clock back 112+ or more years on this stand, at least until a new inventory is done and all other options are evaluated

Unit 3: See map 1

This unit is small and it abuts mapped structural habitat. A little more than half of this unit was classified as having a stand birth date of 1928 (based on OFCO mapping). It is unclear how it was differentiated from adjacent structural habitat, or whether it should in fact be considered part of the adjoining stand.

Checklist Item 5.d:

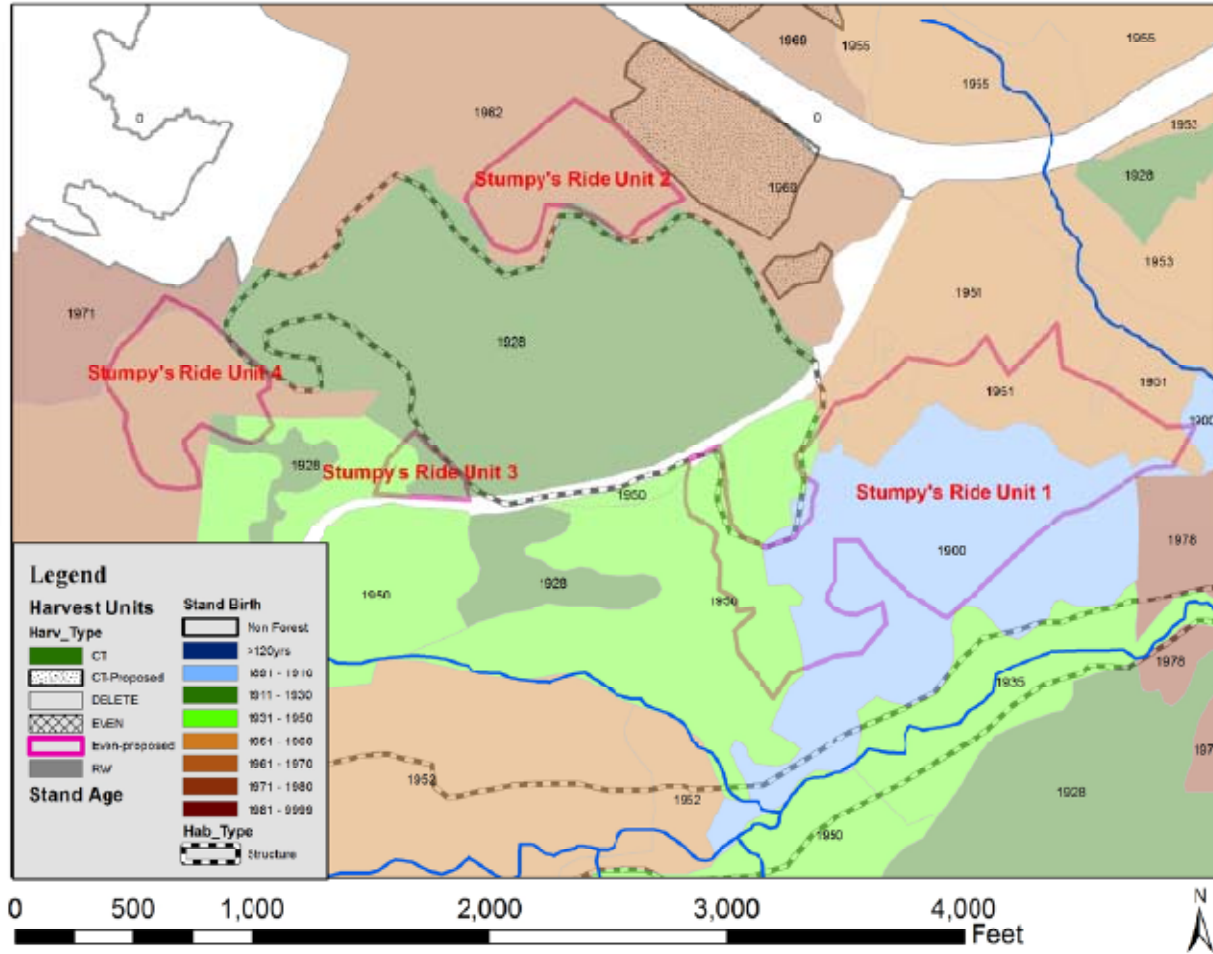
It contends that this sale protects the NSO through use of the 20/40 procedure, but cutting many stands that range to at least 112+ and opening adjacent older stands to accelerated wind damage years delays that area from developing the needed wildlife habitat characteristics for many, many years, thus damaging these species. Therefore, this section is incorrect.

It also contends that the sale will not damage marbled murrelets. OFCO believes that the harvests, especially in Unit 1, 3, and 5. The impact is clearest in units 1 & 5. The harvest will damage the survival of the murrelet through setting the stand ages back up to a century,

through fragmenting the flightpath to the two upstream Charley Creek occupied murrelet sites, and through increased risk of blowdown.

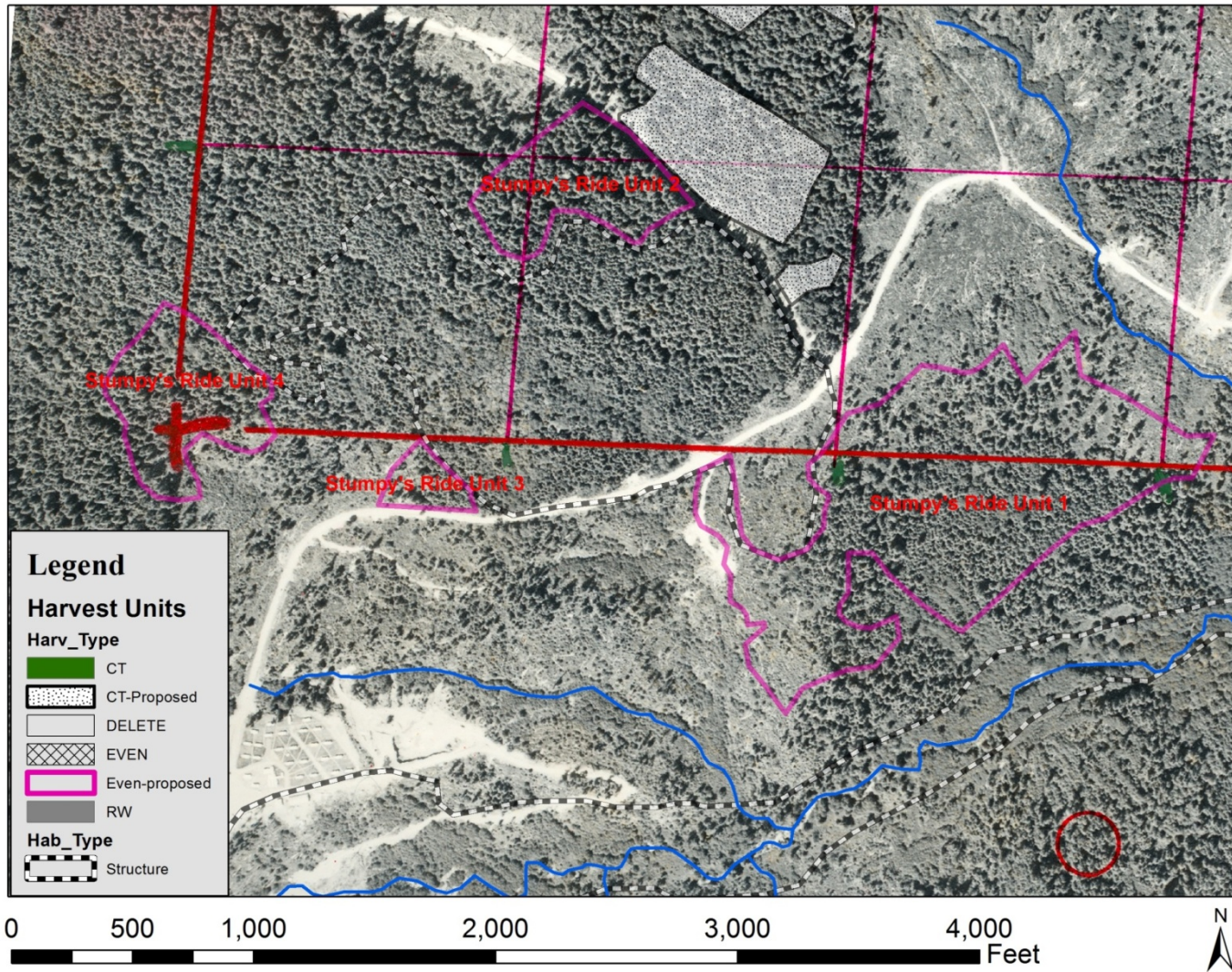
Also see comments under 20/40

Map 1. ...Stumpy's Ride units 1-4, year of stand origin, and NSO structural habitat.



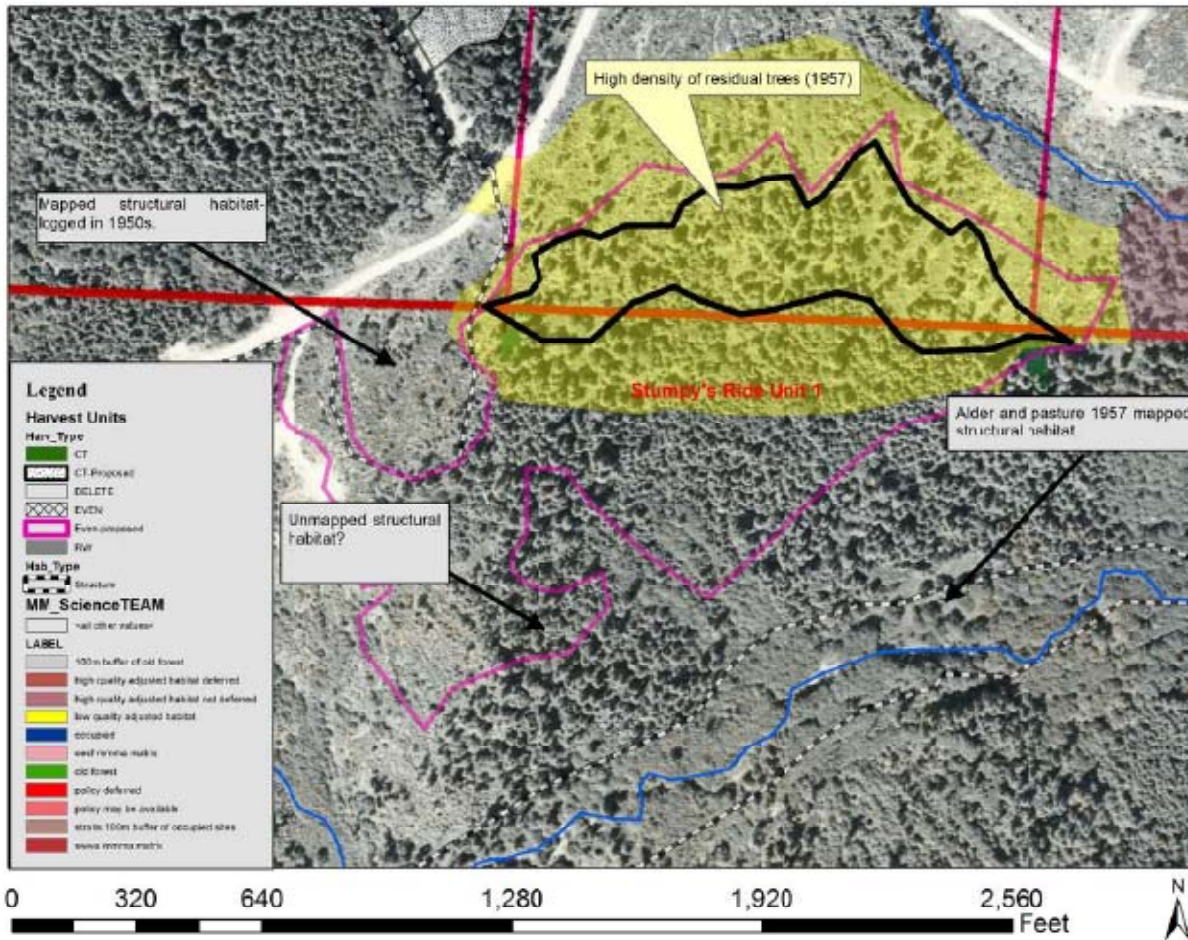
Stumpy's Ride Units 1-4 with stand birth dates based on USGS maps 1935, aerial photos 1957-2011.

Map 2. Stumpy's Ride Unit 1-4 on aerial photo, 1957



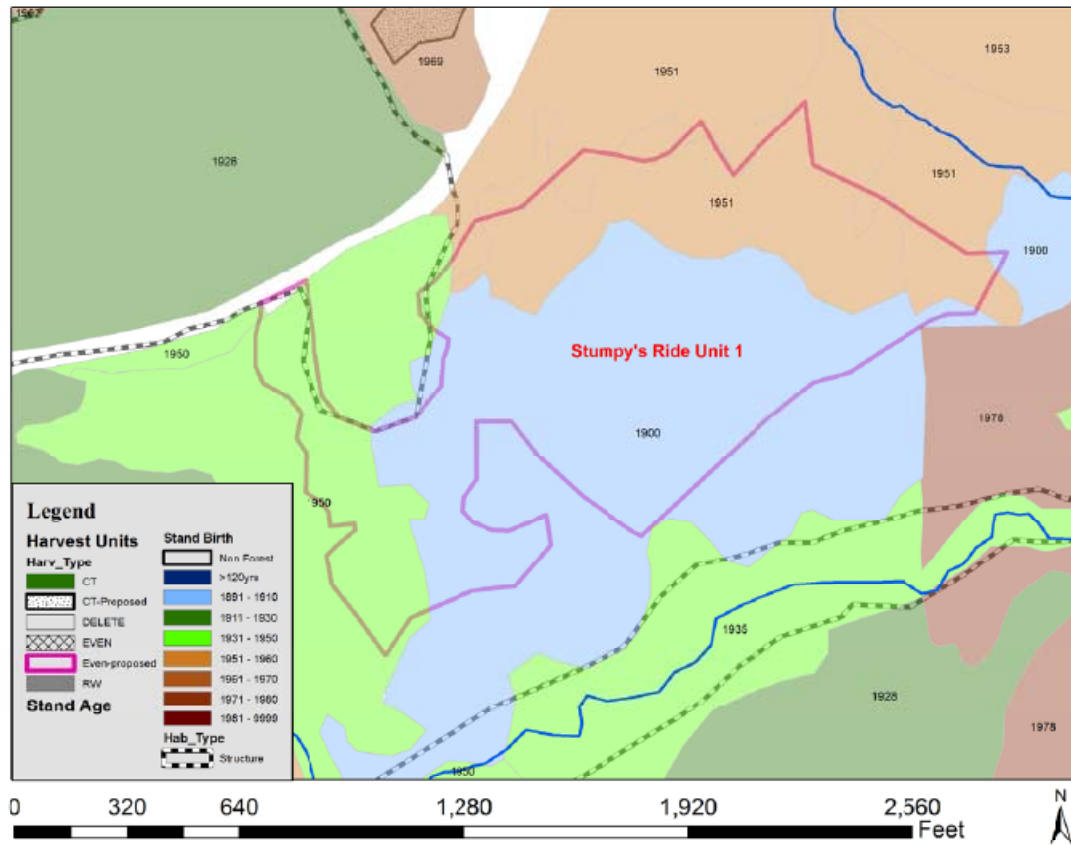
Stumpy's Ride Unit 1-4 on aerial photo, 1957

Map 3. Stumpy's Ride Unit 1 overlaid of 1957 aerial photo and MM habitat.



Stumpy's Ride Unit 1 and 1957 aerial photo.

Map 4 Stumpy's ride Unit 1 with Stand Birthdates.



Stumpy's Ride Unit 1 with Stand Birth Dates.

Units 5 & 6:

See comments under 20/40 and Riparian Protection

20/40 REQUIREMENT OF THE HCP:

The DNR HCP is clear about the importance of fully implementing the 20/40 standard throughout the life of the HCP – it is not a target to be reached at some indefinite time in the future. The HCP states:

“Management for desired owl habitat condition will be planned and implemented at the scale of landscape planning units. ...A principal working hypothesis of the OESF is that landscapes managed for a fairly even apportionment of forest cover among stands in all stages of development, from stand initiation to old growth (Oliver and Larson 1990), will support desirable outputs of both commodities and ecosystem functions. ...

DNR can meet its objectives for commodity production and spotted owl conservation in the OESF by managing each landscape planning unit to maintain or restore threshold proportions of potential habitat. These proportions are:

- (1) At least 20 percent of DNR-managed lands in the landscape planning unit in the understory-reinitiation to old-growth stages that are potential old-forest habitat (after Hanson et al.1993); and*
- (2) At least 40 percent of DNR-managed lands in the landscape planning unit in the stem-exclusion to old-growth stages that are potential old-forest, sub-mature, or young forest marginal spotted owl habitat types (Hanson et al.1993), including any old-forest habitat described in (1) above. ...*

*The currently proposed threshold proportions of potential spotted owl habitat are **not intended to be targets for management; rather they are minimum standards** that reflect the current understanding of forest-ecosystem processes. (DNR HCP, P.87-88. Definitions in HCP.) [Emphasis added.]*

OFCO's question is: How can this standard be expected to be achieved, if the harvest units of this and many other similar sales, target the oldest stands within the planning unit that are not mapped as structural habitat, particularly considering the numerous questions about the mapping of structural habitat in the Clallam LPU?

Currently the 20% category of understory-reinitiation and old growth in the Clallam River LPU is 0.00%, and for the sub-mature and young forest marginal 40% category, it is 13.05%. It is clear that every effort should be made to bring older stands to the desired conditions as soon as possible. That means not regenerating stands such as those in this or other recent sales, which are already close to habitat conditions. If stands 70+ are all regenerated, nothing will develop into the 20/40 categories during the life of the HCP, or naturally over time. Yet, the checklist states: “Harvest acreage limitation were set to prevent delays in the development of the 20/40 commitment.” (SEPA Checklist for Stumpy's Ride 5.d, p. 10.) This statement is in error.

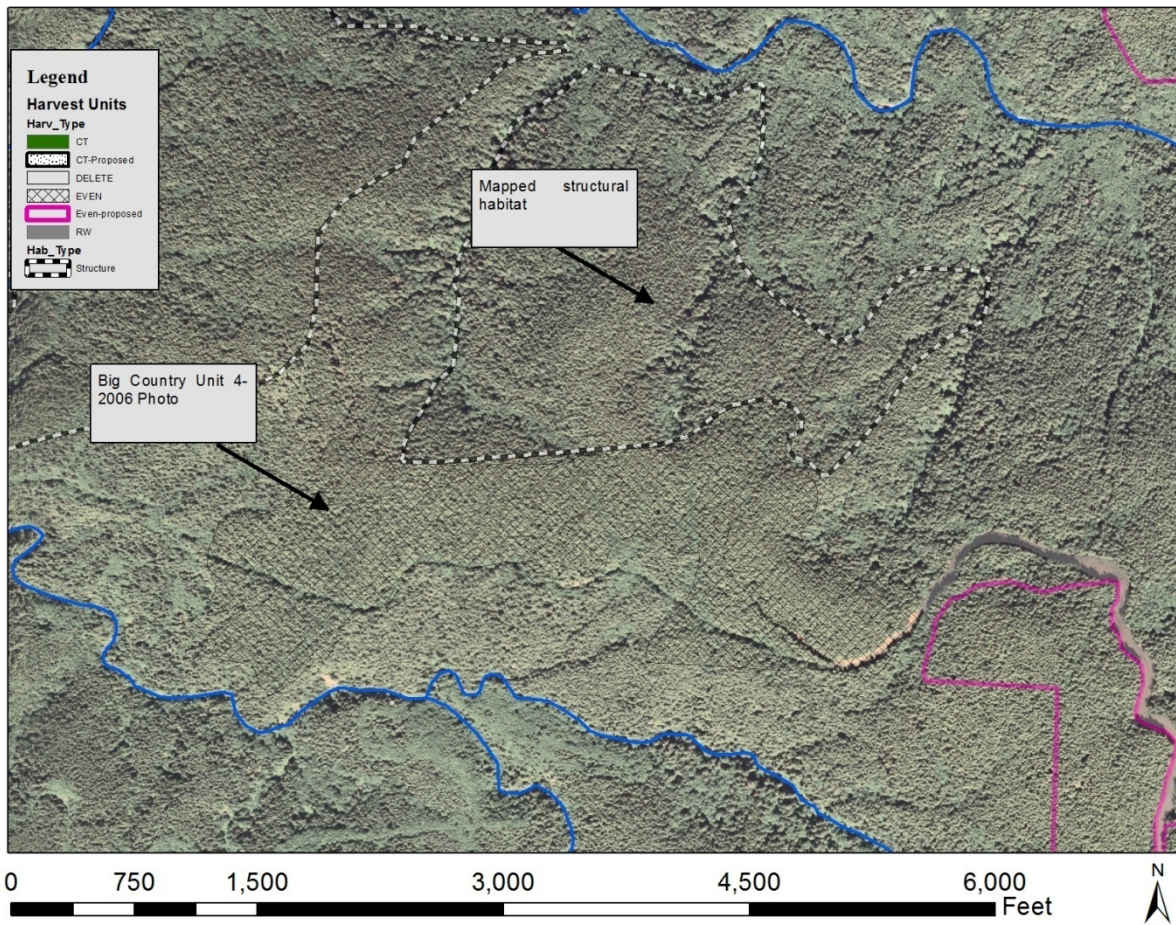
Blow Down Risk:

Another risk to MM and NSO habitat comes from locating regeneration harvests close to designated habitat.. There appears to be the potential of blow down on old habitat adjacent to Units 1, 2, 3, 4 and 5. A recent example of this is Big Country. Big Country included the regeneration logging of structural habitat which was then remapped to include non-structural habitat. It also involved massive blowdown of adjoining structural habitat, and potentially a second entry into structural habitat for salvage. There were huge direct and indirect habitat losses with this sale. Refer to blowdown risk under Unit 1 above.

We are seeing blocks of habitat with regeneration harvest nearby. The currently existing Structural Habitat has lost an average of 15% due to blow down according to OFCO's analysis of

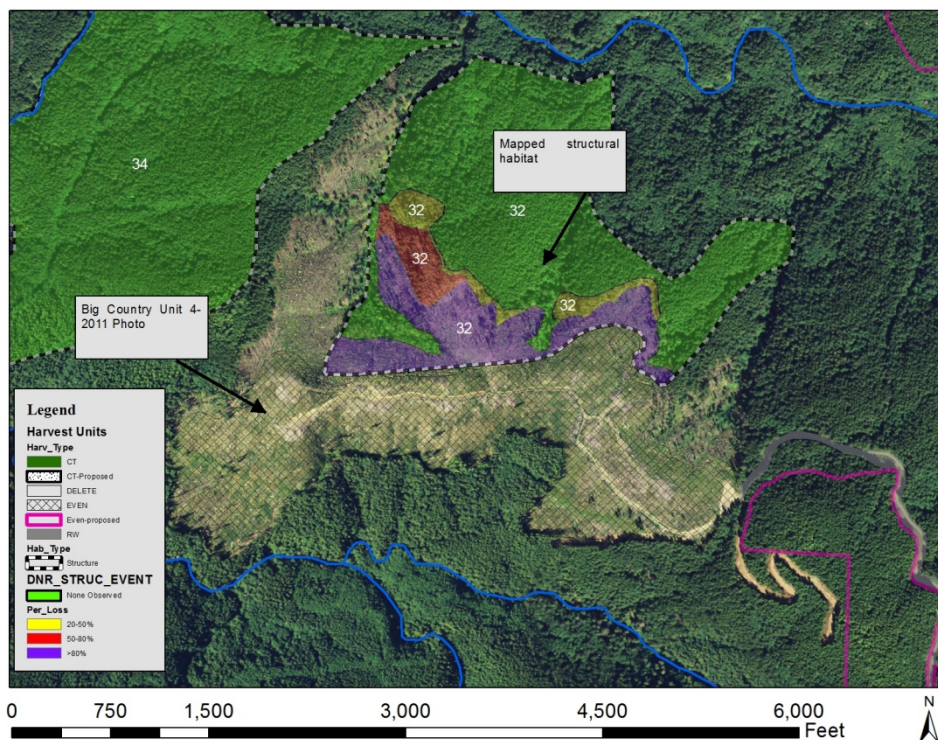
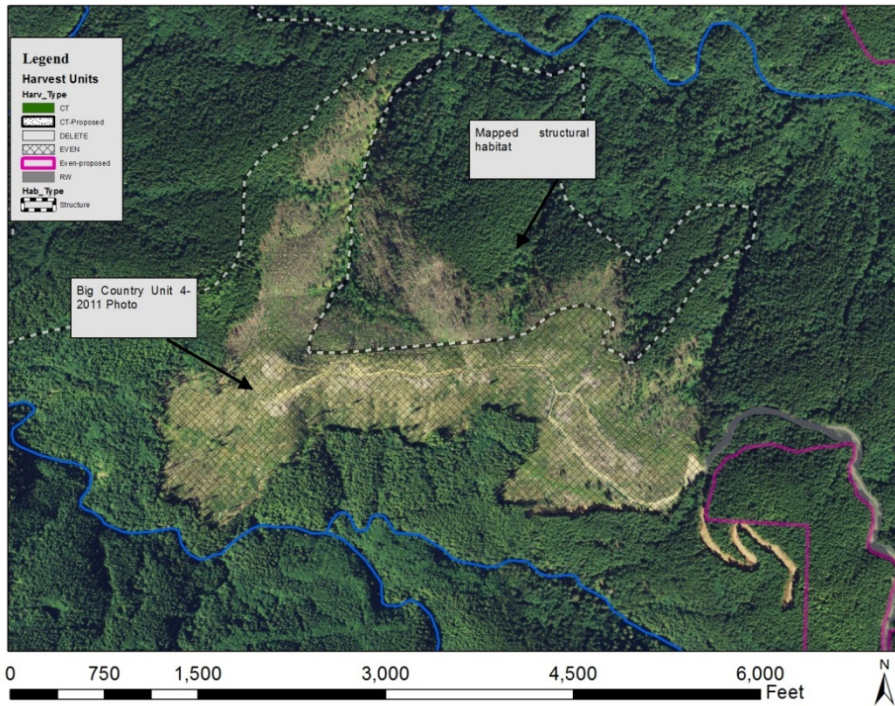
aerial photos and mapped structural habitat. Large blocks of habitat would not only reduce predation due to the proportion of edge to interior, but be more wind firm and tend to be more sustainable.

Map 5. Big Country 2006 and adjacent structural habitat



Big Country 2006 and adjacent structural habitat

Maps 6 & 7. Big Country 2011 and adjacent blowdown in structural habitat



Big Country 2011 and adjacent blowdown in structural habitat

MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS):

The MDNS is fatally flawed because it depends entirely on several general management procedures, but they contain no site specific information to justify the conclusion that there is *“no probable significant adverse environmental impacts from this proposal.”* (State

Environmental Policy Act, SEPA Handbook, Department of Ecology, WAC 197-11-330(1)(b)) The MDNS states that in following the HCP and its Procedures no mitigation is needed.

MARBLED MURRELET:

The Marbled Murrelet Procedure, dated August 1999 requires two general actions:

- 1) Restrict all activities that will negatively impact marbled murrelet habitat.
- 2) Obtain approval of the Regional Manager, if the harvest is planned adjacent to an occupied site.

The Checklist contends that the habitat is marginal for MM and has been released as being in the 5% least valuable habitat under the Relationship Study made some time before 2001. No effort was made to see if conditions had improved, or if the model had accurately identified this 112 year old stand near or adjacent to a similar one labeled as Occupied. See UNIT 1 above.

SLOPE STABILITY:

The Slope Stability Procedure, also dated August 1999, requires identification in one of two ways. There is no indication which one was used, or whether either was used. The checklist states that all unstable areas with high or medium risk were bounded out of the sale. However, the SEPA Checklist indicates 4 acres of soils with high mass wasting and erosion potential on slopes of 50-80%. There are also 68 acres of soils with a moderate risk of mass wasting and a high risk of erosion. Unit 7, according to the checklist includes harvest on slopes up to and including 80%. Harvest in areas this steep may cause slope failures or mass wasting. Since there is no indication in the checklist of the location or slope of these at risk soils, it is not possible to identify if a risk exists, if the prescribed method of evaluation was used, or if all risk was mitigated.

There have been major road related failures in the area of Unit 7 that have delivered sediment to typed water. One such debris flow was initiated from the 3200 road that will provide the haul route and landing sites for this harvest. It was in very similar terrain with comparable slopes. OFCO is raising concerns about the stability of the road in this area. The Unit 7 haul route will also use the mid-slope 1000 road. This unstable segment of the 1000 is also the southern and eastern boundary of Unit 7. It cuts through numerous slides that extend steeply down to the Clallam River and appears to have been the immediate cause of some of them.

LEAVE TREES:

The checklist indicated 1216 leave trees will be left. That calculates to exactly 8 trees per acre the minimum allowed by the HCP (DNR HCP, P. IV.157). No other information was given. The Procedure requires a variety of leave trees, including at least 3 snags or snag recruits; it is not known if this requirement was met.

The checklist also states *"The BNR will be notified if any very large diameter, structurally unique conifers are harvested."* (PR 14-006-090, P. 2), The checklist discusses the inclusion of structurally unique and old growth trees (SEPA Checklist, p. 3, 9) in leave areas. It does not indicate whether or not any such trees are located in the harvest areas. If even one is to be harvested, it must be reported to the BNR.

RIPARIAN PROTECTION:

This Procedure calls for the use of 12 Step Analysis starting with an analysis of all Type 3 sub-basins. OFCO needs to see the details of this analysis, as our site review shows possible problems with the riparian protection in Units 5, 6, and 7. We assume that the listing of PR 14-004-160 in the MDNS assures that written copies of this analysis are available.

STREAM TYPING:

Where are the unstable Type 5 streams? 60' to 100' buffers on unstable Type 5 streams are unusual. OFCO needs to see where they are located. If they are in fact part of the leave tree clumps, that needs to be shown on the FPA maps. As they must have been clearly identified in the 12 Step Analysis, they should have been shown on the FPA maps, as they are the only maps available for public review.

Units 5 & 6: Units 5 & 6 in the swampy headwaters of Coke Creek are mapped with numerous Type 5 channels that are not connected to other typed water. Since the area is not considered a slope risk, they are only 'protected' by the 30 foot equipment exclusion zone, but can be logged to water's edge. This is an inherently unlikely scenario. However, OFCO's field examination found one 5' channel in the middle of a flagged access road right of way. Either these channels actually do have surface connections to higher order water or they constitute some form of forested wetlands that should be protected. More important, if they exceed 2' channel physical characteristics the State lands HCP Substitution Agreement classifies them as type 4' whether or not they appear disconnected on the surface.

"Type 4 Water" classification shall be applied to segments of natural waters which are not classified as Type 1, 2 or 3, and for the purpose of protecting water quality downstream are classified as Type 4 Water upstream until the channel width becomes less than 2 feet in width between the ordinary high-water marks. Their significance lies in their influence on water quality downstream in Type 1, 2, and 3 Waters. These may be perennial or intermittent.

Guidance for stream typing: *In addition to the previous definitions, it should be emphasized that these stream types are not based on perennial or seasonal waters, nor their need for connectivity to other typed waters. ...*

Likewise a type 4 water may be disconnected from downstream typed waters either through subsurface or subterranean flow, however these isolated segments are still protected as type 4 waters due to their importance in providing habitat for some "aquatic resources" primarily amphibians. It has been found that certain species may utilize these isolated stream segments for some phases of their life cycle independent of the stream's connectivity or flow rates.²

These provisions are an important way that the State Lands riparian protection is more protective of more species and more functions than the FPHCP.

We also question the SEPA assurances that these two harvest units will not adversely impact water quality and quantity. Logging through an obviously swampy area with tracked ground-based equipment will compact the soil and disrupt the subsurface and ground water flows to Coke Creek. This is likely to result in quality issues with temperature and sediment, and it is certain to affect peak flow runoff characteristics.

² DNR Proprietary HCP Substitution Agreement for Aquatic Resources Within the OESF Planning Unit, 2008, p. 9.

Unit 6: We also are questioning how the Type 5 streams in the thinning will be protected during the thinning operation. How will erosion be prevented from entering the Type 3 immediately to the north?

Unit 7: The Type 4 stream on the southwest side of the unit has a buffer. Is it indeed 70'-100'? The Inner Core buffer must come to the upper edge of the topographical break to protect from instability, and the wind buffer must start there. OFCO questions whether the buffer on stream segment 4I meets these requirements. This identification number is almost illegible on the FPA map, but the stream is located on the southwest side of the triangularly shaped unit. Is that sufficient protection on this very steep ground flowing into the Clallam River, which has been listed on the 303(d) list? OFCO also requests a field review of the type of all segments of this stream, to assure its accuracy according to the Substitution Agreement³.

ROADS:

MILES OF ROAD /SQ. MILE MISCALCULATED ON SEPA CHECKLIST:

The numbers for roads per square mile in each of the WAUs are incorrect. The Clallam River WAU is shown with a total of 2.3; the Hoko WAU is shown with 2.9. OFCO has found the calculations are in fact wrong, based on the Checklist numbers for watershed acres and road miles. The number of roads per square miles in the total Clallam River WAU is 4.6; in the Hoko WAU it is 5.7. Rooding at these levels causes severe sediment production from the roads, worse during hauling in wet conditions, which in turn causes damage to salmon spawning in surrounding streams. These impacts are the reason for the question being on the SEPA checklist.

³ Ibid.

ROADS PER SQ. MILES MISCALCULATED

SOURCE	OWNERSHIP	SEPA CHECKLIST				CALCULATED BY OFCO	
		WAU ACRES - A.12.c (See note below.)	ACRES BY OWNER-SHIP	ROAD MILES	MILES PER SQ. MILE IN WAU BY OWNERSHIP & TOTAL	SQ. MILES BY OWNERSHIP TYPE & TOTALS	MILES PER SQ. MILE IN WAU BY OWNERSHIP & TOTAL
WAU							
CLALLAM RIVER		22,109.20					
	NON-DNR*		11,480	88.5	2.6	17.9	4.9
	DNR		10,629	70.0	2.0	16.6	4.2
	TOTAL		22,109	158.5	2.3	4.5	4.6
HOKO		45,993.80					
	NON-DNR*		34,784	328.3	4.6	54.4	6.0
	DNR		11,210	82.8	1.2	17.5	4.7
	TOTAL		45,994	411.1	2.9	71.9	5.7

* Non-DNR includes Federal, Other State, and Private lands

1 square mile = 640 acres; 1 acre = 0.0015625 square miles

WAU acres in question A.12.c are for the part under forest management, which is the appropriate number.

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See the attached Excel file on Road Miles per Sq. Mile in other DNR sales in WRIA 19.

Knowledge about these road impacts is not new, but DNR and all timber management companies have continued to increase the impacts by adding road miles per square mile through building new roads and failing to abandon either old or new roads. This timber sale adds another mile of roads and does not abandon any old or new roads. The most important paper on the subject was published in 1981. It was based on research done by University of Washington scientist Jeff Cederholm in the Clearwater River drainage of that is now the OESF in the Olympic Region of the DNR (Cederholm, C.J., LM. Reid and E.O. Salo. 1981. Cumulative effects of logging road sediment on salmonid populations of the Clearwater River, Jefferson County Washington. Washington. University of Washington, Fisheries Research Institute. Report No. FRI-UW-7915. Seattle, WA. 99.) Cederholm devoted the rest of his life to working for the Washington Department of Natural Resources, almost entirely in the Olympic Region, doing research to improve conditions for salmonids.

CURRENT LEVELS OF ROADING CAUSE DAMAGE TO STREAMS AND FISH:

The National Marine Fisheries Service (1996) guidelines for salmon habitat characterize watersheds with road densities greater than 3 miles of road per square miles of watershed area (mi/sq mi) as “not properly functioning”, while “properly functioning condition” was defined as less than or equal to 2 mi./sq.mi., with no or few streamside roads. (National Marine Fisheries Service (NMFS) 1996. Coastal Salmon Conservation: Working Guidance for Comprehensive Salmon Restoration Initiatives on the Pacific Coast. September 1996. 5pp.)

NO ABANDONMENT:

Despite the high levels of roading in these two WAUs, the DNR did not propose any abandonment in conjunction with this sale nor in connection with the 12.2 miles of pre-haul maintenance. While maintenance is important in the short term, only reducing the road mileage through abandonment offers permanent improvement. Abandonment is expensive, but the perceived need to produce income for the beneficiaries appears to have a higher priority than repairing past damage to the salmon runs, which persist, despite the cumulative impacts to their habitat from these logging roads.

ADJACENCY MAP and CHECKLIST ARE INCONSISTENT

The Adjacency map and the SEPA Checklist together show two inconsistencies. Unit 1 in the Adjacency map shows an age of 51-75, but the Checklist shows 57-112 with about three fourths of the unit being 112 years old. Unit 4 shows an age of 26 to 50, checklist shows an age of 64 for the unit.

ROADS PER SQ. MILES MISCALCULATED

SOURCE	OWNERSHIP	T.S. NAME as data source	DATE OF SEPA APPROVAL	SEPA CHECKLIST				CALCULATED BY OFCO	
				WAU ACRES - A.12.c (See note below.)	ACRES BY OWNER-SHIP - A.13	ROAD MILES - B.3.a.10)	MILES PER SQ. MILE in WAU - B.3.a.10)	SQ. MILES BY OWNERSHIP TYPE & TOTALS	ROAD MILES PER SQ. MILE IN WAU BY OWNERSHIP & TOTAL
CLALLAM RIVER									
	NON-DNR*								
		Clallam Comb.	7/8/2012	22,109	11,480	88.5	2.6	17.9	4.9
		Stumpy's Ride	10/10/2012	22,109	11,480	70.0	2.0	17.9	3.9
	DNR								
		Big Country	1/19/2005	60,233	**	**	2.5		
		Courtyard	6/8/2005	60,233	**	**	2.5		
		Dead End	11/15/2005						
		Lambasted	12/22/2006	54,912	**	**	2.5		
		1600 Blow Down	10/26/2007	54,912	**	**	2.5		
		1600 Blew Again	7/10/2008		***	***	***		
		Blowder Ridge	3/10/2009	54,912	10,538	**	4.6		
		P-1400	11/18/2010						
		Ridges Clean-up	1/26/2011	22,109	10,538	**	2.3		
		Big Foot	4/9/2011	22,109	10,538	**	2.3		
		Blowder Cr.	7/14/2011	22,109	10,538	**	2.3		
		Clallam Comb.	7/8/2012	22,109	10,539	68.6	2.0	16.5	4.2
		Stumpy's Ride	10/10/2012	22,109	10,629	70.0	2.0	16.6	4.2
	TOTAL								
		Clallam Comb.	7/8/2012	22,109	22,109	158.5	2.3	34.5	4.6
		Stumpy's Ride	10/10/2012	22,109	22,109	70.0	2.0	34.5	2.0

ROADS PER SQ. MILES MISCALCULATED

SOURCE	OWNERSHIP	T.S. NAME as data source	DATE OF SEPA APPROVAL	SEPA CHECKLIST			CALCULATED BY OFCO		
HOKO									
	NON-DNR*								
		Clallam Comb.	7/8/2012	45,994	34,793	328.3	4.6	54.4	6.0
		Stumpy's Ride	10/10/2012	45,994	34,784	328.3	4.6	54.4	6.0
	DNR								
		Big Country	1/19/2005						
		Courtyard	6/8/2005	57,656	**	**	4.8		
		Dead End	11/15/2005	57,656	**	**	4.4		
		Lambasted	12/22/2006	62,220	**	**	4.8		
		1600 Blow Down	10/26/2007						
		1600 Blew Again	7/10/2008	***	***	***	***		
		Blowder Ridge	3/10/2009	22,069	**	**	4.6		
		P-1400	11/18/2010	45,993	**	**	2.9		
		Ridges Clean-up	1/26/2011	45,994	**	**	2.4		
		Big Foot	4/9/2011						
		Blowder Cr.	7/14/2011						
		Clallam Comb.	7/8/2012	45,994	11,201	82.6	1.1	17.5	4.7
		Stumpy's Ride	10/10/2012	45,994	10,629	82.8	1.2	16.6	5.0
	TOTAL								
		Clallam Comb.	7/8/2012	45,994	45,994	411.1	2.9	71.9	5.7
		Stumpy's Ride	10/10/2012	45,994	45,994	411.1	2.9	71.9	5.7
* Non-DNR includes Federal, Other State, and Private lands as shown in the named DNR timber sale									
** No data in SEPA Checklist									
*** No SEPA checklist available									
1 square mile = 640 acres; 1 acre = 0.0015625 square miles									

WAU acres in question A.12.c are sometimes for the whole WAU and sometimes for the part under forest management, which is the appropriate number.