

## APPENDIX N

### RESPONSE TO COMMENTS ON THE ENVIRONMENTAL ASSESSMENT

#### INTRODUCTION

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A 30-day comment period for Brock C&H Allotment Management Plan Project was provided for interested and affected publics, including appropriate local, state and federal government agencies, and Tribes. Letters requesting comments were sent to the mailing list of interested parties maintain at the Umatilla National Forest Supervisor's Office on June 30, 2009. They included federal, state and local agencies, Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe, various environmental organizations and interested individuals (see project file for mailing list).

A legal notice in our newspaper of record (East Oregonian) requesting comments was published on June 30, 2009 and lasted through July 30, 2009. The Forest Service received comments from different sectors of the public, with a range of concerns and comments. The responsible official will be considering the comments made in the decision-making process. The Forest Service received 3 responses during the 30-day comment period. Responses were received both electronically and by U.S. mail. All correspondence was reviewed and our response to comments made is located later in this section. The complete comment period record is kept in the project file and is available for review at the Walla Walla Ranger District office in Walla Walla, Washington. The following table is a summary of letters received:

#### Letters Received During the 30-day Comment Period

<b>Letter Identification Number and Date Received</b>	<b>Author(s)</b>	<b>Individual, Organization or Agency</b>
Letter #1 July 29, 2009	Linda Mautz	Pearson Mtn. Properties, LLC
Letter #2 July 3, 2009	Rick Isaacson	Boise Building
Letter #3 July 30, 2009	Asante Riverwind	Hells Canyon Preservation Council; Oregon Chapter Sierra Club; League of Wilderness Defenders- Blue Mountain Biodiversity Project

Brock C&H Allotment Management Plan Project

## Comments and Forest Service Response to Comments

<b>Letter #1</b>	
<b>LINDA MAUTZ-PEARSON MTN. PROPERTIES, LLC</b>	
<b>Comment</b>	<b>Our Response</b>
<p><b><u>Letter 1-Comment 1.</u></b> We traversed a goodly portion of Fry Creek with the hydrologist and could not find or confirm any of her concerns.</p>	Your comment has been noted.
<p><b><u>Letter 1-Comment 2</u></b> Ms. Peterson showed us several places the 1-foot bank was steep. This situation was not caused by cattle. The creek alters its banks every year during the spring run off. The cuts were not major and not different than over the years.</p>	Your comment has been noted. Current streambank and channel conditions were discussed in the EA, as were the management activities that conceivably contributed to those conditions (EA, Ch. 3-28, 46-47.)
<p><b><u>Letter 1-Comment 3</u></b> The bank, in my opinion was in excellent shape.</p>	Your comment has been noted. Current conditions are described in EA, Ch.3-28, 46-47.
<p><b><u>Letter 1-Comment 4</u></b> From what I saw, the vegetation was more than adequate on the creek banks.</p>	Your comment has been noted. See response to Letter 1-Comment 3.
<p><b><u>Letter 1-Comment 5</u></b> In my opinion, it would be a mistake for the US Forest Service to take any action based on Hydrologist Peterson’s opinion of the condition of this creek. Fry Creek is in good of shape today just as it has been over many years.</p>	<p>Your comment has been noted. Current and historic conditions and impacts were discussed in EA, Ch. 3-28, 46-47; Ch 4-69-71.</p> <p>Vegetative and streambank stability conditions on the allotment were identified as significant issues (EA Ch 1, p. 5-6; Ch. 2, p 24-25). The Preferred Alternative was designed to address those issues (EA Ch 2-p19-20). Both objectives derive from Forest Plan and legal requirements (Ch 1, p. 6-14).). Vegetation and streambank stability objectives and monitoring measures derive from Forest Plan and legal requirements (Ch 1, p. 6-14). Annual use objectives come from standard and widely used methods for achieving long-term objectives.</p>

<b>Letter #2</b>	
<b>RICK ISAACSON-BOISE BUILDING</b>	
<b>Comment</b>	<b>Our Response</b>
<p><b><u>Letter 2-Comment 1.</u></b>            Properly managed grazing can be an important tool in maintaining the vitality and health of rangeland.</p>	Your comment has been noted.
<p><b><u>Letter 2-Comment 2</u></b>            Conversely, improperly managed grazing can be detrimental.</p>	Your comment has been noted.
<p><b><u>Letter 2-Comment 3</u></b>            I certainly support the continuance of the use of public ground for grazing purposes through the allotment system.</p>	Your comment has been noted.
<p><b><u>Letter 2-Comment 4</u></b>            I recommend that this allotment be properly managed by sizing the herd to the biomass available according to land needs for biomass removal.</p>	The recommendation was noted. The Proposed Action would size the herd and annual use of forage based on both the biomass available and other resource needs, as identified in the Purpose and Need for the project.
<p><b><u>Letter 2-Comment 5</u></b>            The use of regular visits and subsequent input to the allottee by trained individuals should be utilized to ensure that the grazing is in accordance with scientific principles of sound management.</p>	The recommendation was noted. The monitoring plan provides for regular visits to the allotment to ensure the grazing is in accordance with the management plan described by the Preferred Alternative (EA, Chapter 2-Proposed Action), which in turn is based on scientific principles of sound management for all resources considered in the EA (see Literature Cited-Appendix G; project file: specialist reports for range, invasive species, native vegetation, wildlife, fisheries, hydrology).
<p><b><u>Letter 2-Comment 6</u></b>            Please do allow this allotment to continue as it is good both for the land and for the rancher who in turn helps support the local and overall economy through the commerce produced.</p>	The Preferred Alternative (Alternative 1) would continue to authorize grazing at a level that would allow longterm recovery of forage and other allotment resources of concern (EA Chapter 2). The economic analysis noted that implementation of this alternative would contribute to the continued economic viability of the permittee as well as contribute to the broader economy (EA Ch. 4-pp 76-77), though at reduced levels from present use.

<b>Letter #3</b>	
<b>ASANTE RIVERWIND-representing HCPC</b> (Hells Canyon Preservation Council; Oregon Chapter Sierra Club and League of Wilderness Defenders-Blue Mountain Biodiversity Project)	
<b>Comment</b>	<b>Our Response</b>
<p><b><u>Letter 3-Comment 1.</u></b> The EA addresses many of the concerns inadequacies raised in our scoping comments and other public comments</p>	Your comment has been noted.
<p><b><u>Letter 3-Comment 2</u></b> The EA still fails to include a reasonable range of alternatives or adequately address cumulative impacts, water quality standards and impacts to riparian habitat.</p>	Five alternatives were identified, three were analyzed in detail (EA Ch. 2, p 18-24; EA Ch. 4). The relative differences between alternatives and their effects on riparian vegetation were summarized in EA, Table 4-1). Impacts to riparian habitat were discussed from several topical viewpoints (Ch 4: sections on hydrology, fisheries, soils, range, native plants, invasive species). Cumulative impacts were discussed for each resource of concern (EA Ch 4). Impacts to water quality were considered for Clean Water Act compliance, (EA Ch 4, p. 69-70, 81-82 ); effects to potential habitat for spotted frogs (EA Ch 4, pp. 66), and fisheries and fish habitat downstream from the allotment (EA, Ch. 4, pp. 71-74; project file: fisheries specialist report, p 17-18, hydrology specialists report, pp 5-8.)
<p><b><u>Letter 3-Comment 3</u></b> Though the Proposed Action decreases the amount of head months grazed initially, this is trumped by a later provision that states “If forest treatments lead to increased forage capacity and allotment objectives are being met, the district ranger may temporarily increase capacity up to, but not to exceed, 310 Head Month.” If this were to happen, the proposed alternative and the current management would be nearly identical. To “rigorously explore and objectively evaluate all reasonable alternatives,,: this option to increase would need to be removed from the Proposed Action, to truly be an alternative to Current Management.</p>	A reasonable range of 5 alternatives was analyzed: (EA pp 18-24). Table 2-7 compares and contrasts the two action alternatives analyzed in detail, relative to each other and relative to the No Grazing alternative (EA Ch. 2, p. 25), in terms of meeting the Purpose and Need for the project. As described in the EA, total annual use on the allotment under the Preferred alternative (Alternative 1-Adaptive Management) would be reduced for a minimum of 5 years, relative to current permitted use, and would only authorize increased use contingent upon meeting resource objectives within that 5 years; monitoring results may also lead to more restricted use after 5 years if resource objectives are still not met (EA Ch 2, p 19). No such changes would occur under the Current Management alternative (Alternative 2). (EA Ch 2, pp 20-22)

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<b>Comment</b>	<b>Our Response</b>
<p><b><u>Letter 3-Comment 5</u></b> There were 2 other alternatives considered but not developed in detail. Of the three alternatives that were discussed in detail, there is only a no-action alternative and two action alternatives, one of which is nearly identical to the current management. The EA should have included an action alternative that would permanently reduce grazing levels.</p>	<p>See response to Letter 3-comments 2 and 3.</p>
<p><b><u>Letter 3-Comment 6</u></b> The analysis of the cumulative impacts of the alternatives in this EA is inadequate. The EA does a good job of walking through all possible affected areas and conducts an indirect, direct, and cumulative impacts analysis for each, but some of these areas require additional information. For example, in the “Invasive Species” portion of the EA, the cumulative effects analysis for each alternative discusses the effects of wildlife and vehicle spread of weeds, but does not discuss the effect of cattle and invasive weed spread when combined with these other causes.</p>	<p>See EA page 60, 61, and 62, all mention cumulative effects of weed spread mechanisms including cattle operations, wildlife, vehicular travel, and describe cumulative impacts of Alternatives 1 and 3 in relative terms, relative to cumulative effects associated with Alternative 2 (Current management) which mentions cattle, wildlife, horses, dogs, vehicles, wind, water, fire. (EA, Ch 4, p. 60). Ch. 2, p. 21 also discusses impacts of multiple weed distribution from past and present vectors including vehicle use of roads in and near the allotment, cattle, wildlife, camping, hunting and logging, which are considered part of cumulative effects.</p>

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<p><b><u>Letter 3-Comment 7</u></b> The EA relies on certain mitigation measures (hardwood protection and treatment of invasive weeds) to claim that winter and summer forage would be increased. (EA 62) This assumes that treatment of invasive weeds and hardwood protection measures would be successful, but the EA points out that hardwood exclosures fall down every year due to faulty design. Effects to Rocky Mountain Elk are understated in the EA.</p>	<p>Hardwood protection is an ongoing and future foreseeable project discussed in cumulative effects for several resource topics. (EA p. 57, 62-65, ). Text was added to the hardwood discussion (EA p. 62) to clarify the intent to reconstruct hardwood exclosures using methods and materials with local history of effectiveness for the purpose.</p> <p>Effects to elk from past, present and future grazing management and other ongoing actions, including weed treatments and hardwood protections are fully discussed in the EA (Ch 3, p. 32, 44-45, Ch 4, 62-63).</p>
<p><b><u>Letter 3-Comment 8</u></b> The EA is deficient with respect to cumulative impacts to the Gray Wolf, which is listed as a sensitive species under the Oregon ESA. The EA states: “Because wolves in this area are not considered essential to the overall Northern Rocky Mountain population, and there are no foreseeable conflicts with cattle, the Brock Cattle allotment <b>may impact gray wolf</b>, but would not cause a trend toward listing on the federal Endangered Species List.” (EA, p. 65). Please provide supporting rationale for why wolves in this area are not considered “essential” to the overall gray wolf population.</p>	<p>See EA page 65 for cumulative effects discussion.</p> <p>See pages 15173 and 15183 of the federal register (referenced in the EA p. 65 (USFWS, 2009); Appendix G-Literature Cited). On page 15173 the final rule states: “We acknowledge that a few packs may become established within the DPS in Oregon; however, their role in the overall conservation of the NRM DPS is inherently small given the limited number of packs that habitat there is likely to support.”</p> <p>And on page 15183: “This portion of the range does not meaningfully contribute to the resiliency, redundancy, and representation of the NRM DPS.”</p>

**Letter #3**

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(Hells Canyon Preservation Council; Oregon Chapter Sierra Club and  
League of Wilderness Defenders-Blue Mountain Biodiversity Project)

<b>Comment</b>	<b>Our Response</b>
<p><b><u>Letter 3-Comment 9</u></b> Mitigation for Gray Wolf presence is referenced to in the OR Wolf Plan (ODFW 2005), but really offers no solution as to what should happen when wolves attack cattle other than to kill the wolves. (EA 65) Greater depth of discussion is needed, including methods for preventing wolf-livestock conflicts.</p>	<p>See EA Ch 4, p. 65. “The Oregon Wolf Plan (ODFW 2005) contains measures available to citizens to deal with livestock-wolf conflicts including measures to prevent or avoid conflict. Those measures have been made known to the permittee by both ODFW staff and Umatilla National Forest range specialists (EA, p. 65). The EA also notes that there have been no known instances of wolves killing livestock on the Walla Walla Ranger District to date and that ODFW has been unable to locate wolves on the District in 2009.</p>
<p><b><u>Letter 3-Comment 10</u></b> By describing the purpose and need as explicitly “to provide grazing on National Forest System lands, “ the UNF has artificially limited the scope of the analysis to only those alternatives that would allow cattle grazing. As a result, the No Grazing alternative is automatically ruled out. It is impossible for this alternative to meet the purpose and need for the project, thus the UNF ended up with an EA that analyzed two action alternatives that are almost identical in scope.</p>	<p>One of the elements of the Purpose and Need (Ch 1, p. 4) is to authorize grazing “consistent with other multiple-use goals and objectives.”</p> <p>The deciding official is free therefore to determine, based on site-specific analysis, whether grazing use is consistent with other multiple use goals and objectives and whether or not authorization of continued grazing fully meets the Purpose and Need for the project. Thus the deciding official may legitimately select the No Grazing alternative as better meeting the Purpose and Need than would an action alternative.</p>

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<p><b><u>Letter 3-Comment 11</u></b>  <b><u>Impacts to Water Quality/Failure to Comply with CWA</u></b>  As previously stated in our scoping comments, the EA or EIS should assess the impacts of large amounts of livestock waste deposited on the land, with nutrients, coliform bacteria and other disease organisms washing into downstream waters.</p>	<p>All comments received during the public scoping process were considered in developing the EA and considered in the decision-making process (project file-public scoping comments received). Comments from public scoping were summarized in Appendix I of the EA. Effects to water quality on the allotment and downstream were discussed in the Hydrologic Effects Analysis (EA, pp 70-71), which found the most meaningful scale of analysis to be the allotment. Effects to water quality indicators downstream (at the subwatershed-scale) were further discussed in the fisheries analysis (EA, p 72-74) and in specialist reports (Project file: hydrology report, fisheries report).</p>
<p><b><u>Letter 3-Comment 12</u></b>  This assessment should determine the amount of vegetation available to slow down water and nutrient runoff into these stream systems. Any new grazing plan should be accompanied by a protective level of utilization, trampling standards and other mandatory, measurable use standards. This should include mandatory, quantifiable standards for riparian area use, such as stubble heights, bank damage/stability standards, riparian browse standards, width-to-depth ratios, and the use of these standards to trigger livestock removal from pastures or riparian areas.</p>	<p>See EA, Ch. 2, pp. 21-23, which discuss the design criteria and management requirements including stubble heights, bank trampling, percent utilization on herbaceous and shrub (browse) species, which will be used to trigger livestock movement and used to monitor implementation and effectiveness of the management strategy selected. The utilization standards describe the amount of vegetation that may be taken, stubble height requirements describe the amount of riparian vegetation that will remain available for other resource concerns when cattle leave the allotment or pasture.</p>
<p><b><u>Letter 3-Comment 13</u></b>  The EA provides a discussion of the various alternatives in regards to hydrology and focuses on streambed degradation and limiting grazing near streams, but omits any discussion of large bodies of water in the area.</p>	<p>The allotment as being located in the extreme headwaters of two subwatersheds draining toward the Grande Ronde River (EA Ch 3, p. . There are no large bodies of water within the hydrology analysis area. The hydrologist determined that the allotment was the most meaningful scale for her analysis (EA, Ch. 3, pp. 28, 46-47</p>

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<p><b><u>Letter 3-Comment 14</u></b> In the event the area does contain 303(d) listed streams, the Forest Service must insure that its proposed adaptive management approach does not lead to violations of the CWA.</p>	<p>The most recent water quality assessment and 303d list of impaired waters in the Grande Ronde Basin is found in Oregon's 2004/2006 Integrated Report. None of the streams in the Brock C&amp;H Allotment Area are found on this list.” (EA Ch. 3, pp 48-49). The hydrologist determined that the allotment was the most meaningful area to analyze for hydrologic effects of alternatives, and which was therefore the basis for determining compliance with the CWA (EA Ch 3, p. 46, Ch 4, p. 84).</p>
<p><b><u>Letter 3-Comment 15</u></b> The Proposed Action Alternative (Alt. 1) addresses disparate impacts to riparian areas and relies on the flexibility of the grazing schedule as a solution because it “will enable managers to better manage for reproduction of desired forage species and improved plant health and vigor.”(EA 55) Deferral will allow fall regrowth along stream banks to improve bank stability and sediment capture and would likely result in an increase in native sedge communities that are composed of obligate (OBL) wetland species and/or facultative (FACW) wetland species with good to excellent bank stabilization capabilities. (EA 55). The Proposed Action Alternative (Alt.1) also allows flexibility as grazing days are not tied to particular dates, but this alone will not alleviate the stresses on the sensitive riparian areas within this project.</p>	<p>The Proposed Action includes many other design criteria, management requirements and monitoring elements than mentioned in the comment. (EA Ch. 2, pp. 18-23).</p> <p>Also, see response to comment 12 above.</p>
<p><b><u>Letter 3-Comment 16</u></b> Alt. 1 must indefinitely permit less grazing time than current management.</p>	<p>See Response to Letter 3-comment 1</p>

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<p><b><u>Letter 3-Comment 17</u></b> As studies have shown, the less grazing there is, the less chance for invasive weed intrusion and spread, the greater chance for forage production and an increase in bank stability.</p>	<p>The effects on herbaceous and hardwood forage production, invasive plant species and streambank stability of reduced grazing relative to current management (Alternative 2), are disclosed in the Effects analyses for Alternatives 1 and 3. (EA Ch. 4; pp 54-60, 69-74).</p>
<p><b><u>Letter 3-Comment 18</u></b> The EA should address how the further spread of invasive weeds will be avoided or mitigated under each proposed alternative.</p>	<p>See Ch. 2, p21-22, which describes invasive species prevention and management requirements for Alternatives 1 and 2 (action alternatives). The No Grazing alternative does not require mitigations for invasive species, however ongoing treatments for known populations (Ch 3, p. 39-41, 43-44,) would continue independently based on priorities for treatment, (Table 3-11).</p>

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<p><b><u>Letter 3-Comment 19</u></b> Monitoring data for the presence of TES species must be gathered prior to environmental analysis and incorporated into that process. The Forest Service must additionally demonstrate that project level surveys have been conducted and current population data gathered for forest plan Management Indicator Species (MIS).</p> <p>The applicable National Forest Management Act (NFMA) implementing regulations require that “fish and wildlife habitat be managed to maintain viable populations of existing ... species in the planning area.” To insure this, the regulations direct: “Provide, develop, and enhance effective and well-distributed habitats throughout the Forest for all existing native and desired nonnative vertebrate wildlife species.” UFP 4-2. In some instances, a habitat model may be used as a proxy to determine MIS viability in lieu of surveys. However, where the Forest Service’s “methodology does not reasonably ensure viable populations of the species at issue,” using habitat evaluation as a proxy for monitoring population trends can be deemed arbitrary and capricious.</p>	<p>The EA analyzed relative effects to Management Indicator and other species of interest of the alternatives, based on habitats present in and near the allotment. (EA Ch 3, pp. 32-34, 44-45, ; Ch 4, pp 62-65)</p>

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<p><b><u>Letter 3-Comment 20</u></b> HCPC’s scoping comments recommended the EA contain a thorough analysis of soils and native vegetation to determine the effects of the proposed grazing on these. The Proposed Action Alternative (Alt. 1) is the closest to what HCPC would want to see here, but an additional alternative with fewer grazing months would be the best choice.</p>	<p>See Letter 3-Comment 3 response.</p>
<p><b><u>Letter 3-Comment 21</u></b> The fact that riparian soils are the most productive does not serve as a justification for preserving the status quo. Reduced grazing to ensure recovery and enhancement should be the ultimate goal.</p>	<p>We agree, and the soils effects analysis (EA, Ch. 4, pp 70-71 ) stated that soils recovery will progress more rapidly under the Proposed Action with reduced grazing relative to soil recovery rates associated with current management and would likely progress most rapidly under Alternative 3.</p>
<p><b><u>Letter 3-Comment 22</u></b> The EA states that Management Indicator Species (MIS) will be unaffected, but this seems to be an assumption that so long as no trees are being cut, these species will be fine. What about the trampling effect of all the grazing cattle? Those species that nest in old logs, down woody material, etc. will be affected by grazing. Forage for elk will be affected by grazing as well.</p>	<p>Effects to elk are based on an area larger than the allotment (EA Ch. 3; pp 32, 44-45; Ch 4, pp 62-63). Also: See response to Letter 3, comment 17.</p>
<p><b><u>Letter 3-Comment 23</u></b> The proposed alternative is an improvement to current practices, but still fails to quantify anything—instead using measurements like “slightly less” and “slightly more.” HCPC would like numerical baseline data on these MIS in the allotment area to support these claims.</p>	<p>Available habitat was quantified and used as a proxy to help describe the degree of effects to MIS between alternatives in relative terms since actual species presence within the allotment is unknown. (EA Ch 3, 33-34, 45; Ch 4, 62-64 )</p>

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<p><b><u>Letter 3-Comment 24</u></b> The discussion on land birds within the EA is incomplete at best, and actually claims that the degree to which grazing affects these species is unknown. (EA 63).</p>	See response to Letter 3-comment 22.
<p><b><u>Letter 3-Comment 25</u></b> The Grande Ronde Watershed and portions of Sheep and Jarboe Creeks contain federally listed and sensitive fish species. For this analysis, the resident native salmonid species of concern in the Grande Ronde River system at present are Columbia River bull trout, which are federally listed as Threatened under the ESA, and redband/rainbow trout, the inland life form of steelhead, which are a Regional Forester’s Sensitive species and a Forest Plan management indicator species. Steelhead are also a Forest Plan Management Indicator Species. (EA 29) In the EA’s discussion of habitat distribution it outlines all of the areas where the fish are not found due to either waterfalls or dry periods. (EA 30)</p> <p>The numerous “no impact” conclusions are based on the fact that the threatened or sensitive species do not exist in the portion of the streams that are within the allotment. This analysis fails to take downstream effects into account, which would likely change the determination.</p>	The fisheries analysis considered downstream effects to redband trout which are located downstream of the allotment. EA, Ch. 4, pp 72-75

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<b>Comment</b>	<b>Our Response</b>
<p><b><u>Letter 3-Comment 26</u></b> The EA claims that Current Management (Alt. 2) meets PACFISH and thus is consistent with the Umatilla Forest Plan by claiming even though “At the allotment-scale, stream channels would not meet the RMO for bank stability, the PACFISH RMO’s are intended to be applied at watershed scale, not at the allotment scale.” (EA 78) By comparing the effects of grazing to the entire watershed (very large) rather than to the streambanks themselves (very small), the FS is able to conclude that bank stability is still maintained at over 80% and “grazing management in the Brock allotment does not appear to be retarding attainment of RMO’s at the scale intended by PACFISH.” (EA 79) This is incorrect.</p>	<p>The discussion of consistency with PACFISH and the Forest Plan has been expanded (EA p. 81-82) to clarify the applicability of RMOs Forest Plan direction as it existed prior to PACFISH and implementation of that same direction as intended by the PACFISH decision, and the use of PACFISH standards and guides, with respect to the particulars of the Brock allotment and its landscape setting.</p>
<p><b><u>Letter 3-Comment 27</u></b> We must look at the purpose of PACFISH, which is to protect anadromous fish species, based on protection of their habitat. We must evaluate the effects of grazing at the Brock Allotment on the streams and streambanks it affects directly to achieve PACFISH standards. HCPC would like to see a discussion on the rate of recovery for these species.</p>	<p>The fisheries analysis determined there would be NO Effect on listed fish, Critical Habitat or Essential Fish Habitat downstream of the allotment (EA, Ch 4, pp 73-75) and although the risk is deemed unlikely, May Impact Redband Trout which are in closer downstream proximity. Table 4-5 (p. 76) erroneously contradicted the May Impact conclusions for redband trout relative to Alternatives 1 and 2 in the text on pp 73-75; that error has now been corrected.</p>

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<p><b><u>Letter 3-Comment 28</u></b> From birdwatchers to mountain bikers, outdoor enthusiasts bring in almost \$300 billion in annual retail sales, and contribute more than twice that to the United States economy. The recreation industry supports about 6.5 million jobs, and associated annual tax revenues add up to \$88 billion a year. Wildlife viewing is currently the most common outdoor activity, with birding alone attracting 66 million people last year.</p>	<p>Your comment has been noted. The EA (Ch. 4, pp 76) noted that there will be no measurable change in recreational opportunities to enjoy wildlife viewing, mountain biking or other dispersed recreational activities from any of the alternatives, since there will be no changes to existing access, and since wildlife species and habitats considered in this EA will not be measurably impacted by the alternatives.</p>
<p><b><u>Letter 3-Comment 29</u></b> The EA provides a cost/benefit analysis for the above grazing-related employment and revenue, but fails to provide any analysis to the broader public. Public lands grazing can deter other recreational uses, which should be considered in this analysis. As we suggested in our scoping comments, a cost-benefit analysis remains to be completed beyond effects to a small minority of grazing permittees.</p>	<p>See EA p. 50-53 for current economic conditions in the relevant larger-scale economies (Union and Baker counties), which are directly and indirectly influenced by permittee operations and recreational use of Umatilla National Forest System lands in Union County.</p>

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<b>Comment</b>	<b>Our Response</b>
<p><b><u>Letter 3-Comment 30</u></b> The EA or EIS must present evidence that the Forest Service has complied with Section 106 of the National Historic Preservation Act, 16 U.S.C. § 470(f), and its implementing regulations, 36 C.F.R. §§ 800 <i>et seq.</i></p>	<p>The SHPO concurrence letter in the Project file provides the necessary evidence of compliance, as it is based on documentation provided to SHPO by the cultural resource specialist. Text has been added to the EA to discuss non-critical aspects of the cultural resource survey and analysis results (see response to Letter 3-comments 31 and 32).</p>
<p><b><u>Letter 3-Comment 31</u></b> NHPA requires more than what the EA contains. Though the Forest Service did consult with the Confederated Tribes of the Umatilla Indian Reservation as well as the Nez Perce Tribe, the EA contains no discussion of what questions were asked, specific names of possible Historic Properties which fails “good faith effort” to identify historic properties. This portion of the EA consisted of only a few sentences, and simply stated that the tribes were consulted and “no concerns were expressed by either tribe.” (EA 81)</p>	<p>The Cultural Resource specialist’s site-specific information on cultural and historic resources is generally privileged information and not publicly available, by law. However, some general information on cultural resources within the allotment has been added in Chapters 3 and 4 (EA, Ch. 3, p.53-54, Ch 4, p 79) per request from the commenters, as public possession of this information was not deemed a risk to resources eligible for the National Register of Historic Properties. Letters describing the proposed action were sent to Tribal governments and key staff members of the Nez Perce Tribe and the Confederated Tribes of the Umatilla Indian Reservation on December 12, 2008. Those letters are publicly available and are part of the project record. The EA was sent to the same entities for review on June 29, 2009. The tribes have many interests and dialogue is open-ended. To date, neither tribe has identified any concerns specific to the Brock allotment.</p>
<p><b><u>Letter 3-Comment 32</u></b> Applicable regulations (36 CFR § 60.4) for evaluating National Register eligibility for properties requires specifically identifying those properties that may have a cultural significance and this identification and/or dismissal cannot happen without, at the very least, naming the property and discussing why it does/does not meet the criteria.</p>	<p>See response to Letter 3-comment 31. See EA Ch. 3, p. 53-54 and Ch. 4, p. 79. SHPO concurred with the cultural resource specialist’s determinations regarding eligibility.</p>