



## **Western Oregon BLM Lands Make Vital Contributions to Conservation of Species, Ecosystems and Watersheds.**

by Doug Heiken<sup>1</sup>

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### ***Abstract***

*If the proposed O&C Trust, Conservation and Jobs Act (DeFazio et al) is enacted into law, the result will be a wholesale unraveling of the Northwest Forest Plan. Under the law, any reduction of conservation for Endangered Species Act-listed species on federal public forestlands would have to be offset by increasing conservation on non-federal lands. Western Oregon federal public forestlands under the jurisdiction of the Bureau of Land Management play a vital and irreplaceable role in the conservation of species, ecosystems and watersheds.*

### **Introduction**

BLM lands in western Oregon are found in the foothills of the Coast Range and Cascades and Siskiyou Mountains, the margins of the Willamette, Umpqua, Rogue and coastal valleys and in the Klamath Basin. The “O&C lands” are a subset of federal lands managed primarily by the BLM and some by the US Forest Service. BLM’s holdings tend to occur in a checkerboard pattern mixed with private timberlands.<sup>2</sup> BLM’s holdings in western Oregon are federal public forestlands, just like the Forest Service’s holdings, which are part of the National Forest System. BLM’s holdings are lower-case national forests.

Conservation of western Oregon BLM lands is critical to the success of conservation on the landscape as a whole including the Mount Hood, Willamette, Siuslaw, Umpqua, Rogue River-Siskiyou, Deschutes, Fremont-Winema and Klamath National Forests. The BLM checkerboard is located in between larger blocks of National Forest lands, which means they play a critical role under the Northwest Forest Plan. Western Oregon BLM lands not only directly support populations of numerous imperiled species and other culturally important fish & wildlife, but these lands also provide critical connective links, or “stepping stones,” between wildlife populations in the Cascades, Coast Range, and Siskiyou Mountains. Streams on BLM lands provide important opportunities for recovery of threatened salmon.

For more than two decades, scientific reviews have consistently found that the BLM lands in western Oregon are essential to the overall success of regional conservation plans. Both the Northwest Forest Plan (NWFP) reserve system and designations of critical habitat for species protected by the Endangered Species Act (ESA) have recognized the pivotal role of BLM lands in providing east-west and north-south connectivity.

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<sup>1</sup> Conservation and Restoration Coordinator, Oregon Wild. dh@oregonwild.org.

<sup>2</sup> In western Oregon, in addition to the Oregon and California (O&C) lands, BLM also manages the Coos Bay Wagon Road (CBWR) and Public Domain (PD) lands, all of which are commonly referred to as the “O&C” lands.

Proposals for increased logging such as the O&C Trust, Conservation and Jobs Act (OCTCJA), proposed by Reps. Peter DeFazio, Greg Walden and Kurt Schrader, abandons the important role of O&C lands in the NWFP by transferring 1.5 million acres of federal public forestlands in western Oregon into a timber trust where it will be repeatedly clearcut. This undermines the NWFP reserve design and the goal of letting young forests grow old to increase old forest habitat and reduce landscape fragmentation. Under OCTCJA there will never be another acre of old growth on O&C lands in western Oregon, while the tree farms become ever more homogenized every time they are clearcut (on an average 70-year rotation).

Western Oregon BLM lands play an integral role achieving the objectives of the NWFP. This is manifested in several ways:

1. Federal lands carry the most of the conservation burden for ESA-listed species like the northern spotted owl, marbled murrelet, and coho salmon, thus allowing more regulatory stability, management flexibility, and resource extraction on non-federal lands. In the checkerboard, the BLM lands are in close proximity to private industrial timberlands where the protected federal forests can provide spatially proximate mitigation for activities on private lands (if the public lands are adequately protected). Any reduction in conservation on federal lands will have to be compensated with added conservation on non-federal lands.<sup>3</sup>
2. BLM lands are strategically located between the major habitat blocks in the Western Cascades, Coast Range, Klamath and Siskiyou Mountains. Conservation of BLM lands provides opportunities for wildlife dispersal and connectivity essential for long-term viability of meta-populations.<sup>4</sup>
3. The Northwest Forest Plan cannot succeed on the just the subset of the landscape managed by the Forest Service. Scientists have found that increasing protection on National Forest lands cannot fully mitigate for ecological consequences if BLM lands are removed from the NWFP.<sup>5</sup>
4. BLM lands increase habitat availability and population size, which reduces extinction risk for imperiled species.<sup>6</sup>
5. BLM lands help fill gaps where the distribution of National Forest lands is limited, such as the Oregon Coast Range.<sup>7</sup>

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<sup>3</sup> “[T]he Northwest Forest Plan … serves as the conservation anchor for the Oregon Plan for Salmon and Watersheds. The Northwest Forest Plan in turn took pressure off of private lands to provide for recovery of spotted owls, murrelets, and salmonids listed under the ESA. Our fear is that a leaner forest plan would no longer provide adjacent non-federal forest lands protection from added land use restrictions to comply with federal environmental laws.” Roy Woo, Oregon Department of Forestry letter to Forest Service regarding new forest planning rules, 4-7-03.

<sup>4</sup> The 1993 report of the Scientific Analysis Team said: “Reduced long-term distribution of spotted owl habitat linking the Oregon Coast Range, Klamath Mountains, and Oregon Cascades West Physiographic Provinces is highly likely to reduce chances of spotted owls moving among these provinces.” (SAT, Ch 2 p 69. Citations omitted.)

<sup>5</sup> “The distribution of Habitat Conservation Areas proposed by the Interagency Scientific Committee on National Forests alone will not meet the Interagency Scientific Committee’s Strategy’s requirements for well-distributed blocks of habitat connected by dispersal habitat.” (SAT, Ch 2 p 69. Citations omitted.)

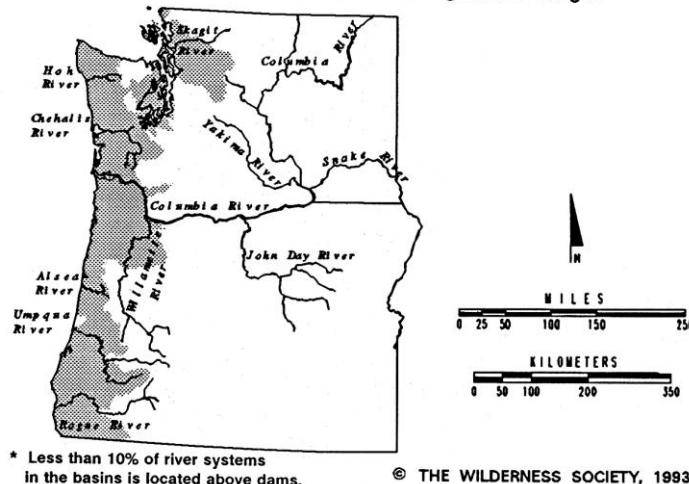
<sup>6</sup> In designating critical habitat for the spotted owl in 1992, FWS said, “The majority of owls and owl habitat (about 85 percent) are currently found on Federal lands. These lands are particularly important in the State of Oregon because very little owl habitat remains on non-Federal lands in that state. The Oregon and California lands, managed by the Bureau are more crucial to owl conservation than many other lands.” Fed. Reg. Jan 15, 1992.

<sup>7</sup> The SAT Report said “[T]he Oregon Coast Range Physiographic Province has been identified as an area of concern, where the density of northern spotted owls is one-eighth of that recorded in other coastal areas. Habitat conditions on lands administered by the Bureau of Land Management within the Oregon Coast Range Province are critical for maintaining a well-distributed, connected network of nesting, roosting, and foraging habitat.” (SAT, Ch 2 p 69. Citations omitted.)

6. BLM lands provide relatively greater representation of low-elevation habitat to balance the disproportionate amount of high-elevation habitat on the National Forests.
7. BLM forestlands in western Oregon disproportionately occur in watersheds that provide a tremendous opportunity for salmon restoration. This is because there are relatively few dams, relatively little water appropriation, and great conditions for growing large trees that can provide shade and stream structures.
8. Attempts to remove BLM lands from the NWFP framework will have serious adverse ecological consequences.

## Pacific Salmon and Other Fish

**FIGURE 15. Undammed Basins\* in Washington and Oregon**



Much of the forestlands managed by BLM are critical for salmon recovery efforts. They are located in the Coastal Basins and the Rogue and Umpqua Basins, which includes many watersheds that contain few, if any, dams. Undammed watersheds are more likely to have relatively natural hydrographs, flood plain interactions, stream chemistry, sediment and wood regimes, and species migration patterns, both upstream and downstream. As much of the rivers and streams in much of the rest of the Northwest are adversely impacted by dams, BLM forests and streams in all these undammed watersheds deserve greater protection, not increased logging.

### Terrestrial Wildlife - Spotted Owls & Marbled Murrelets

The 1990 report of the Interagency Scientific Committee to Address the Conservation of the Northern Spotted Owl (ISC)<sup>8</sup> explained:

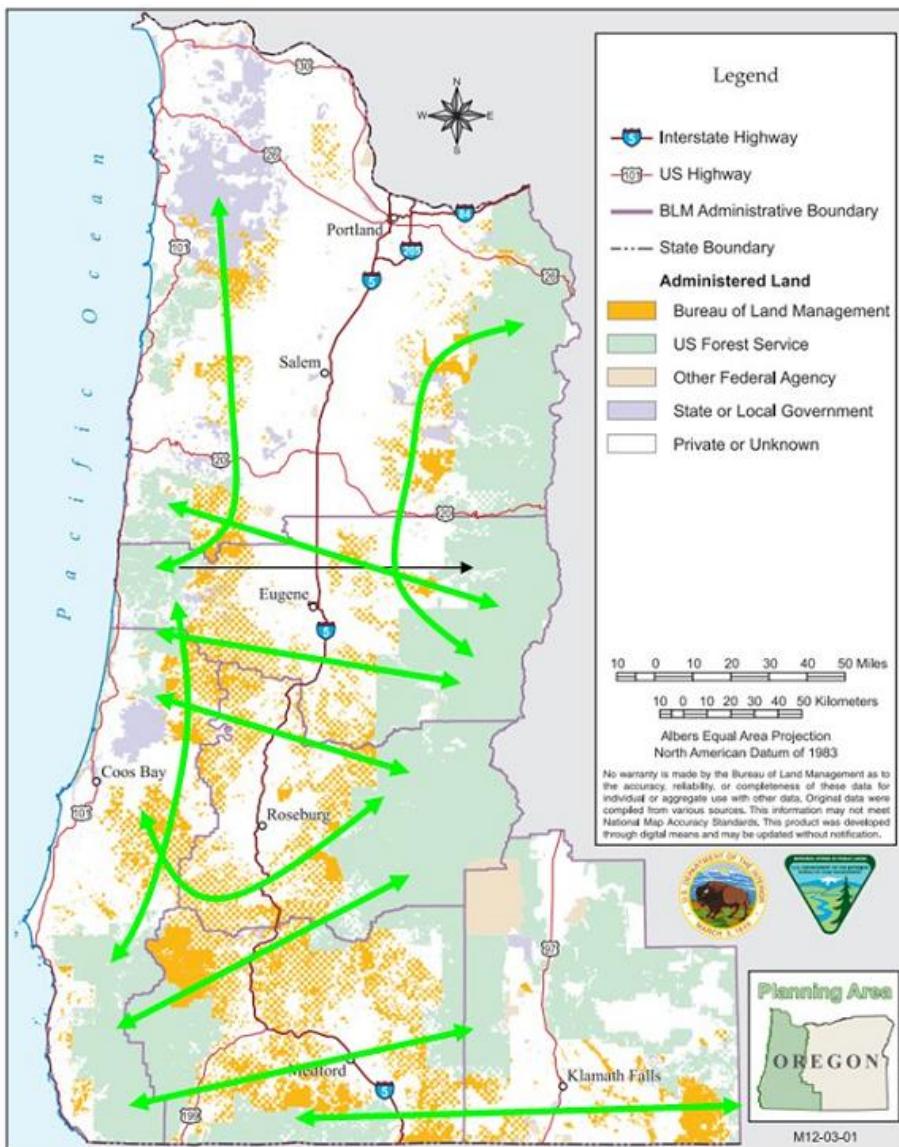
[T]he checkerboard land ownership pattern of BLM lands within the range of the owl increases the risk for long-term owl viability. In these areas, BLM lands are, nevertheless, extremely important for connectivity between populations of owls in the Cascade,

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<sup>8</sup> The Interagency Scientific Committee was chaired by Jack Ward Thomas, and its membership also included: Eric D. Forsman, Joseph B. Lint, E. Charles Meslow, Barry B. Noon, and Jared Verner. As explained in the ISC Report itself "The Interagency Scientific Committee to Address the Conservation of the Northern Spotted Owl (hereafter the Committee) was established under the authority of an interagency agreement between the, USDA Forest Service, USDI Bureau of Land Management, USDI Fish and Wildlife Service, and USDI National Park Service. The Committee's charter was signed by the agency heads and subsequently incorporated into Section 318 of Public Law 101-121 in October 1989. The Committee was asked to develop a scientifically credible conservation strategy for the northern spotted owl in the United States." ISC Report, page 1.

Klamath, and Coast Range provinces in Oregon, and between HCAs in the Coast Range and Klamath provinces in California, for maintaining viable populations in these areas, and for restoring populations in the Oregon Coast Range. [ISC Report, p 382]

The significant and irreplaceable connective value of the O&C lands can be seen on the following map. The green arrows were added to the map to abstractly represent landscape connectivity at the population level over time, rather than discreet dispersal events by individual animals.



When O&C lands are managed for high-quality habitat types (which are rare on private timberlands) it gives populations of wildlife more opportunities to disperse and interbreed with adjacent populations as well as migrate in response to changing climate. This effectively brings the mountain ranges closer together.

In 1990, scientists responded to Congressional inquiries:

The situation for [spotted owl] dispersal habitat on BLM lands is not good and getting rapidly worse. We consider the BLM lands to be the weak link in the proposed strategy, but for the short-term maybe their current condition is the best that can be hoped for. . .

BLM lands and interspersed private lands do not presently satisfy the needs for dispersal habitat because of checkerboard ownership and past cutting practices on both BLM and private lands. ... Any less strategy for these BLM lands is likely to have severe consequences on the ability of owls to disperse. ... Suppose that the Oregon Coast Range were exempted from the conservation strategy. This decision would eliminate one major avenue for maintaining north-south population continuity. [ISC Q&A pp 36-37, 45]

The 1990 ISC Report explained the history and importance of BLM lands in the interagency plan for the conservation and recovery of the northern spotted owl, and the evolution of resulting policy.

The BLM also issued a proposed decision on their Coos Bay District timber management plan in 1982. The Oregon Fish and Wildlife Commission found that the proposed plan failed to meet State wildlife policies and existing Federal laws, and would not provide sufficient protection for the spotted owl. The Oregon Land Conservation and Development Commission sustained this objection. As a result, BLM and ODFW were requested to negotiate a settlement. The negotiation culminated in a 5-year agreement signed in 1983, in which **the two agencies agreed that BLM would manage habitat to maintain a population** of 90 pairs of spotted owls, with appropriate distribution of pairs, **as a contribution to maintaining a minimum viable population in western Oregon.** [ISC p 54, emphasis added]

After an evaluation of spotted owl management areas, ODFW recommended in 1985 that BLM establish a minimum of 40 additional spotted owl habitat areas. This recommendation was made because **many of the 90 sites that BLM was protecting at the time were characterized by poor habitat, scattered distribution, and low occupancy by owls.** The BLM did not act on this recommendation until 2 years later, when **they agreed to manage for an additional 20 pairs of owls** (110 total) that would be jointly selected by BLM and ODFW.

A new interagency agreement was signed in August 1988 by the heads of the BLM, FS, FWS, and NPS. In that agreement, **the agencies agreed to work toward a common goal of ensuring population viability for the spotted owl throughout its range.** The Interagency Agreement served as the umbrella under which the Interagency Spotted Owl Scientific Committee was formed in 1989. [ISC p 56, emphasis added]

The BLM's classification of the spotted owl as a special status species provides similar agency attention. [ISC p 60]

**Oregon Coast Range** The **area of special concern** identified in the Coast Range Province of Oregon includes all forested lands north of State Highway 38 and west of Interstate 5 to the Columbia River, a forested land area of about 4.1 million acres. Within this area, the known owl population is extremely low compared to other areas in the State.

Existing data indicate 102 known pairs of spotted owls in the entire area, a density of only 0.015 pairs per square mile. This **density is only 1/8 that recorded in a study area in the Coast Range outside the area of concern. This low density parallels an equally dire scarcity of suitable owl habitat.** Most of the forest is <80 years old. The remaining areas of older forest are scattered across the landscape, and are becoming increasingly isolated. [ISC p 67, emphasis added]

**Assessment of current management.** We believe that **habitat provided by the BLM-ODFW Spotted Owl Agreement falls short of that needed for a persistent and well distributed spotted owl population on BLM lands in western Oregon.** Because the

number of pairs is low, the amount of habitat provided is less than indicated home range studies in the area (appendix I), and because the habitat provided is widely scattered, individual pairs will become isolated. This isolation will likely lead to low occupancy (50 to 60%) and probably to eventual collapse of the population. We perceive a high probability that the known population of owls on BLM lands will decrease >80% in the next 30 years under current management direction. Remaining pairs will have little, if any, chance of existence as a functional population. [ISC p 82, emphasis added]

**We believe that the current situation—that is, the lack of a well-coordinated, biologically based management plan, applied consistently throughout the range of the spotted owls—is unacceptable and contributes to a high risk that spotted owls will be extirpated from significant portions of their range.** [ISC p 18 and 97, emphasis added].

### **Interagency Coordination**

Wildlife such as the spotted owl often have large home ranges that span across ownership boundaries. The Interagency Scientific Committee identified lack of coordination among the agencies as a problem for owl conservation.

Habitat of the northern spotted owl throughout its range is managed by numerous agencies and land owners with diverse land-use objectives. Regulations requiring consideration of the habitat needs of the owl are often nonexistent. The BLM and FS have implemented management plans requiring delineation of areas to be protected for use by owls, but little consistency exists between agencies. Differences exist even between administrative units of the same agency (see appendix D). The result has been the **lack of consistent, comprehensive management planning based on the biological requirements of spotted owls**. Inventory efforts vary widely some ownerships have never been surveyed, or if they have, results are unknown. Sometimes data from inventories between agencies are not comparable. Consequently, much **confusion exists and opportunities that would increase biological understanding of spotted owls have been lost. Credibility of the involved agencies has also suffered.** [ISC p 97, emphasis added]

BLM's continued participation in the Northwest Forest Plan is necessary to fulfill the objective of interagency coordination, which helps meet overarching legal and ecological goals on a landscape managed by multiple agencies and private interests. The 1998 Pipkin Report highlighted the need to stay the course of interagency coordination.

The Northwest Forest Plan is producing a radical and massive change in federal agency culture. The essence of the new culture may be characterized as *one* vision for the region, *one* Administration policy, *one* set of actions, *one* set of procedural requirements, and *one* science.... Some employees have not fully accepted their new interagency mandate, and some of the intended coordination has fallen short of its target. Continued effort is essential. Trust and willingness to work collaboratively can easily break down unless the process continues to be supported strongly by national and regional agency executives. Change of this magnitude takes time and constant attention. The agencies, at all levels, should work to solidify and sustain the change in agency culture, so that the new agency culture of cooperation and collaboration truly replaces the old. ... If the Northwest Forest Plan cannot be sustained over the long term, it could send a signal to agency personnel that they should discourage any innovative attempts to develop collaboration across a landscape or to break out of the mold of traditional, fragmented agency decision-making.

That would be tragic. Every effort should be made to continue the progress of the Northwest Forest Plan and to achieve its full potential.

## Conclusion

The ecological contribution of BLM forest lands is often under-appreciated, in part because they are located in a checkerboard with intensively managed private forest lands. While the checkerboard ownership pattern may be less than optimal, it still provides significant ecological benefits for both terrestrial and aquatic communities.

Scientific reviews have consistently found that BLM lands play an important role in the overall conservation effort that spans the region from the Cascades to the Coast. Therefore previous policy documents, including the Northwest Forest Plan, and critical habitat designations, have wisely included BLM lands in the conservation scheme and contemplated significant future contributions from BLM lands in terms of restoring streams and watersheds, restoring old forest, avoiding the need to list additional species of fish and wildlife, providing connectivity between the larger contiguous blocks of habitat on the National Forests, and mitigating for relatively low quality habitat provided on adjacent non-federal lands.

To suddenly treat BLM lands differently, more like private lands, would be a radical departure from decades of consistent policy. It would very likely trigger a reassessment of conservation strategies on the National Forest, and require increased conservation requirements on private forest lands. In short, a nearly 20-year period of regulatory stability provided by the Northwest Forest Plan would come to an end, and uncertainty would prevail.

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