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February 15, 2001

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Dear Cori:

Thank you for this opportunity to comment on the Hellgate Recreation Area Management Plan/Draft Environmental Impact Statement (Hellgate RAMP/DEIS). Our interest is not in a particular outcome (i.e., a particular preferred alternative element(s) implemented in a record of decision), but informed decisionmakers, and an informed public concerning the environmental consequences of BLM actions. We are interested in environmental information being available to BLM management officials and citizens before decisions are made and actions taken. We are especially appreciative of this comment period as our first chance to comment on the impact analysis.

We have comments on most sections and chapters, but overall we were impressed with several parts of the DEIS, and the processes that must have been used to arrive at the documented record. We are pleased with the issues and alternatives chapters. They cover most issues of public interest in a range of reasonable alternatives. The studies program and its products are also worthy of note; it is obvious that BLM went the extra mile in aggressively developing and implementing this program. We were also impressed with the BLM open house held in Grants Pass that our representatives attended.

The affected environment chapter can be vastly improved, by better referencing, incorporation and/or referencing studies program information, exclusion of existing condition information (versus affection conditions) not related to the environmental consequences chapter, and clarifying and expanding baseline information on the "affected" environment.

The environmental consequences chapter needs a total rewrite in terms of complying with the procedural requirements of the National Environmental Policy Act (NEPA). The documentation in the effects chapter reflects a great deal of confusion about the relationship of significant issues, range of alternatives, affected environment, and environmental consequences sections, and especially the purpose of an EIS — *"An EIS is intended to provide decisionmakers and the public with a complete and objective evaluation of significant environmental impacts, both beneficial and adverse, resulting from a proposed action and all reasonable alternatives."*

It is recommended that the deficiencies in the Hellgate RAMP/DEIS be corrected in a supplemental DEIS. Specific documented comments and concerns are too numerous to document in this cover letter, but several major problem areas follow.

- Not consistently implementing the purpose of the Hellgate RAMP/EIS as it relates to significance determinations.
- Not consistently using the affected environment section as the baseline for comparison of impacts.
- Not consistently using a standard assumption about short term versus long term impacts.
- Analysis in the environmental consequences chapter comparing alternatives instead of comparing impacts to the baseline in the affected environment section, or repeating descriptions of alternatives elements without identifying impacts.
- Concept of incomplete or unavailable information incorrectly used.
- Mitigation was referenced, but only as it related to the design of alternatives, or generically without specifics; there was no documentation to mitigate any impact identified in Chapter 4.
- Numerous statements about impacts without any conclusions about the significance of the effects.
- Conclusionary statements about significance without much or any rationale about why they were or were not significant. Bald conclusions without an objective evaluation of significant environmental impacts, including a logical and coherent record (impact methodology) of how they were derived do not help the decisionmakers and the public understand the trade-offs of management actions.
- Inadequate documentation of monitoring programs through failure to include information about: entities responsible, types of surveys, location and frequency of sampling, parameters to be monitored, indicators, budget, procedures for using data or results in plan implementation, and availability of results to interested and affected groups.

Our specific comments, questions, and recommendations are documented in the enclosed document entitled, “NEPA Design Group’s Comments on the Hellgate RAMP/DEIS.” We are sure that some of our specific comments will reflect what will turn out to be factual data or publishing errors and/or inconsistencies in our deliberation processes and conclusions. We ask you to consider the big picture in making the determination whether to develop a supplemental DEIS or not, and not ambitiously dissent over some of our specifics. We would be happy to answer any question and will persevere in commenting during future public comment periods.

Sincerely,

Michael L. Walker, President

Enclosure 1 — NEPA Design Group’s Comments on the Hellgate RAMP/DEIS

NEPA Design Group's
Comments
on the
Hellgate RAMP/DEIS



Prepared for:

Bureau of Land Management
Medford District Office
United States Department of Interior

February 15, 2001

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I. INTRODUCTION

NEPA Design Group (*NDG*) submits these comments on the Bureau of Land Management's (BLM's) Hellgate Recreation Area Management Plan (RAMP)/Draft Environmental Impact Statement (DEIS). This document reflects *NDG's* comments on the adequacy of the Hellgate RAMP/DEIS and is composed of comments on 1. inaccuracies and discrepancies, 2. adequacy of the analysis, 3. new impacts or alternatives, and 4. disagreement with some significance determinations. These types of comments are documented on page V-11 of the BLM's National Environmental Policy Act Handbook: H-1790-1.

Comments on Inaccuracies and Discrepancies. Factual correction should be made in the EIS in response to comments which identify inaccuracies or discrepancies in factual information, data, or analysis.

Comments on the Adequacy of the Analysis. Comments which express a professional disagreement with the conclusions of the analysis or assert that the analysis is inadequate may or may not lead to changes in the EIS. Interpretations of analyses should be based on professional expertise. Where there is disagreement within a professional discipline, a careful review of the various interpretations is warranted. In some cases, public comments may necessitate a reevaluation of analytical conclusions. If, after reevaluation, the manager responsible for preparing the EIS does not think that a change is warranted, the response should provide the rationale for that conclusion.

Comments Which Identify New Impacts, Alternatives, or Mitigation Measures. If public comments on a draft EIS identify impacts, alternatives, or mitigation measures which were not addressed in the draft, the manager responsible for preparing the EIS should determine if they warrant further consideration. If they do, that official must determine whether the new impacts, new alternatives, or new mitigation measures should be analyzed in either; the final EIS; a supplement to the draft EIS; or a completely revised and recirculated draft EIS.

Disagreements With Significance Determinations. Comments may directly or indirectly question determinations regarding the significance or severity of impacts. A reevaluation of these determinations may be warranted and may lead to changes in the EIS. If, after reevaluation, the manager responsible for preparing the EIS does not think that a change is warranted, the response should provide the rationale for that conclusion.

Our comments are in three major parts: procedural requirements of NEPA, specific comments on the text of the Hellgate RAMP/DEIS in the sequential order of the DEIS'S organization, and specific comments on appendices to the Hellgate RAMP/DEIS.

II. PROCEDURAL REQUIREMENTS

- Logical and Coherent Record.
- Procedural Standards.
- Impact Methodologies.

A. Logical and Coherent Record Crucial ideas which are part of our comment process are compliance by BLM with Council on Environmental Quality (CEQ) regulations and BLM requirements for implementing the procedural provisions of NEPA by providing a logical and coherent record (see Appendices A, B, C, and D).

The purpose of this handbook is to provide instructions for complying with the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (40 CFR Parts 1500-1508) and the Department of the Interior's manual guidance on the National Environmental Policy Act of 1969 (516 DM 1-7).

The objectives of this Handbook are: "... to ensure a logical and coherent record of NEPA compliance within the BLM..."

B. Procedural Standards NEPA Design Group will be primarily using the procedural standards identified in BLM's NEPA handbook and CEQ's regulations to evaluate the Hellgate RAMP/DEIS (see Appendices A and B). One procedural standard which will be cited many times elsewhere in our comments follows; it deals with the public having a complete and objective evaluation of significant environmental impacts. The specific rationale why this standard is met or not meet will be provided in specific comment sections.

An EIS is intended to provide decisionmakers and the public with a complete and objective evaluation of significant environmental impacts, both beneficial and adverse, resulting from a proposed action and all reasonable alternatives.

Our comments will also reflect the procedural categories of comments encouraged by BLM and identified in *BLM's National Environmental Policy Act Handbook: H-1790-1*. These comment categories were documented in BLM's cover letter to the DEIS, but not to the extent possible for the public to really understand the opportunities of the comment process. For example, BLM provided the following general ideas.

- *New information that would affect the analysis.*
- *Possible improvements in the analysis.*
- *Suggestions for improving or clarifying the proposed management direction.*

The BLM's NEPA handbook was not intended for public use, but perhaps it should have been since the standard is for BLM decisionmakers and the public to have a complete record of significant environmental impacts. It supports BLM's general comment process ideas, but provides a different essence concerning the value and types of comments considered appropriate (see Appendix A). We believe that public comments (written or oral) play an integral role in the

NEPA process. Comments on the draft EIS differ from public involvement earlier in the process because this is the first chance the public has had to review and comment on the impact analysis and the agency's preferred alternative and/or proposed action. Comments should be addressed if they: are substantive and relate to inadequacies or inaccuracies in the analysis or methodologies used; identify new impacts or recommend reasonable new alternatives or mitigation measures; or involve substantive disagreements on interpretations of significance (see 40 CFR 1502.19, 1503.3, 1503.4, 1506.6, and 516 DM 4.17) (see page 1 of this document). The lack of any reference by BLM to one of the public's most important public comment opportunities was not helpful — *"Disagreements With Significance Determinations."*

C. Impact Methodologies We consider impact methodologies part of the procedural standards, but they are covered as a separate topic because it is imperative that an informed public understand the basis for understanding and judging the reliability of the impact analysis. It is especially important that the public have a clear explanation of the methodology and assumptions when information critical to the analysis was incomplete or unavailable (see 40 CFR 1502.22, Appendix B, and Question 18 — CEQ's Forty Most Asked Questions).

The body of the EIS should be a succinct statement of all the information on environmental impacts and alternatives that the decisionmaker and the public need, in order to make the decision and to ascertain that every significant factor has been examined. The EIS must explain or summarize methodologies of research and modeling, and the result of research that may have been conducted to analyze impacts and alternatives (Question 25a — CEQ's Forty Most Asked Questions). Lengthy technical discussions of modeling methodology, baseline studies, or other detailed work are best reserved for an appendix.

We support and believe in BLM's view that the magnitude of all impacts should be identified and the risks associated with such impacts assessed. The description of impacts should identify how short-term uses of the environment will affect long-range productivity of resources and identify any irreversible and irretrievable commitments of resources resulting from those uses. Clarity of expression, logical thought processes, and rationale explanations are crucial. Subjective terms should be avoided. The analysis should lead to a pointed conclusion about the amount and degree of change (impact) caused by the proposed action and alternatives (see Appendices A, B, C, and D).

We recommend that the BLM follow through with attempts by different Hellgate RAMP/DEIS interdisciplinary team members to develop a coherent impact methodology (see Appendix D) in a supplemental DEIS.

III. SPECIFIC COMMENTS

A. Comments — Cover Letter/Open Houses

We were impressed with the BLM's open house that NEPA Design Group representatives attended on January 18, 2001. We felt the format of an introduction, short presentation on the Hellgate RAMP/DEIS process, questions and answers in a group setting, and break out into hosted listening stations (normal open house definition) was a positive approach. The professionalism of all BLM representatives was observed — of special note was the leadership of Don Ferguson and Cori Cooper, the participation of all levels of BLM management, and the hosts of the listening stations. This was the best BLM meeting ever attended by a representative of NEPA Design Group in over 25 years of participating in hundreds of BLM meetings. It can not be carried off without the appropriate skilled staff and participation by management.

This kind of meeting format costs money and staff time, but it is recommended for consideration by BLM for all future “hard” and potentially controversial meetings with the public on any resource topic. The rationale for our recommendation versus the “normal” open house strategy follows. Open houses (i.e., hosted listening stations) make it convenient for the public to meet and speak to individual EIS team members, but this function can easily occur regularly throughout public comment periods without open houses. Citizen involvement is required in an EIS process and open houses seem to satisfy part of this requirement. However, a fundamental truth is that citizen involvement is a messy, frustrating, laborious, expensive, and time-consuming process, and government agencies try to manage it. In our opinion open houses are normally used by government agencies to demonstrate they actively solicited comments in public forums, but their real purpose is to “manage” crowds and “minimize” media coverage.

Open houses do not facilitate an exchange of information and issue clarification for the collective public. Few individuals get to hear all the issues of concern in an open house environment, and they leave the open house not as informed as they would be in a testimony “hearing” environment. The synergism and learning that occurs in a hearing environment is close to the energy of an interdisciplinary team meeting. The collective sharing of all the facts, potential issues, possible alternative elements, and significance of potential impacts can occur in a hearing environment and/or interdisciplinary team meeting; this does not occur in the normal open house environment.

Verbal persons good at expressing their thoughts, but less skilled in writing are at a huge disadvantage in the open house environment. In a testimony “hearing” meeting there is a transcript or record of public comments presented orally; and the agency must consider comments. This is normally not so in an open house environment; there is usually no documentation of public comments except for the generic documentation of the meeting characteristics. Some go as far to say that the verbal person is discriminated against.

Government agencies hate public controversy and open houses provide the agencies opportunities to manage controversy and to minimize a “media event.” The media usually do not cover open houses except for showing up, getting a sound bite, or some generic comments, and leaving as open houses do not openly and publicly receive controversial comments that sell air time or papers. The normal open houses result in the lack of real issue identification and real issues by passionate individuals being covered by the media and shared in an open media forum.

In summary, we liked the BLM’s new open house meeting format. We think it is fair and meaningful and we hope BLM will utilize it again and again.

B. Comments — User’s Guide. The simple user’s guide is good. However, the approach taken to locate tables, maps, and figures is less than desired. It was extremely difficult for the reader to understand the types of tables, maps, and figures available without an actual list in the table of contents. The reader is reduced to manually looking at the end of each chapter to see what is available. It is recommended that BLM provide a list of tables, maps, and figures in the table of contents.

C. Comments — Executive Summary. The executive summary would be good if Table S-2 was different (see next — section III.D.).

D. Comments — Executive Summary Map, Figures and Tables. The map is excellent. The figures would be excellent if they reflected the projection years to 2007 as do tables 4-6 and 4-7. It would be even better if the projections satisfied the standards in the glossary defining short term and long term.

- Short term (page 287 of glossary). *The time period during which the revised Hellgate Recreation Area Management Plan will be implemented; assumed to be 10 years.*
- Long term (10 years) (page 280 of glossary). *The period starting 10 years beyond implementation of the revised Hellgate Recreation Area Management Plan.*

The DEIS was published in 2001. Our estimate is that the ROD will be published in 2002 or later. It is recommended that the projection years to satisfy BLM’s standards defining short term would be that all projected impacts in the environmental consequences chapter would be to the year 1012.

The Table S-2 does not satisfy the NEPA standard (40 CFR 1502.14) of providing a summary comparison of the environmental impacts of the proposed action and the alternatives, and it is difficult to see its value. The table does not seem to track major differences across the alternatives from the baseline (i.e., affected environment in Chapter 3), and not one impact could evidently be quantified (see Appendices A, B, C, and D). This makes it very difficult to impossible for the reader to understand the differences in impacts.

“Provide a summary comparison of the environmental impacts of the proposed action and the alternatives, based on the results of the analysis in the sections on the Affected Environment and Environmental Consequences....The narrative should not simply repeat impacts and key elements from the tables but should highlight the differences in impacts....The summary analysis should be objective and, to the extent possible, quantified (Page V-18, BLM NEPA Handbook).”

Table S-2 also appears to have some conflicts with later sections of the DEIS. For example, the environmental consequences section for the fisheries outstandingly remarkable values has a minimal/neutral effect for Alternative D (page xxii). Part of the environmental consequences sections seems to come to the same conclusion by saying little with some conflicting statements with each other (page 189), but Alternative D is shown to have effects much higher than Alternative A (which is not the baseline) with the potential for adverse effects (page 199).

E. Comments — Chapter 1, Introduction.

The major issues of concern in Chapter 1 are protection of ORVs; carrying capacity; no table of contents for tables, maps, and figures; ownership information; NEPA process for later site-specific projects; amendment versus activity planning; management standards; and monitoring and evaluation (see Table 1 — NDG’s Specific Comments On Chapter 1, Introduction).

F. Comments — Chapter 2, Alternatives.

The major issues of concern in Chapter 2 are carrying capacity; no action alternative baseline other alternatives are compared; environmental impacts of alternatives compared; spawning areas; no table of contents for tables, maps, and figures; angling enhancement areas; safety sites of concern; fish studies; monitoring and evaluation; cumulative impact analysis; protection of ORVs; and special motorized boating events (see Table 2 — NDG’s Specific Comments On Chapter 2, Alternatives). Chapter 2 does not satisfy NEPA standards, especially the standard of providing a summary comparison of the environmental impacts of the proposed action and the alternatives.

40 CFR 1502.14 “Alternatives including the proposed action. This section is the heart of the environmental impact statement. Based on the information and analysis presented in the sections on the Affected Environment (Sec. 1502.15) and the Environmental Consequences (Sec. 1502.16), it should present the environmental impacts of the proposal and the alternatives in comparative form, thus sharply defining the issues and providing a clear basis for choice among options by the decisionmaker and the public.”

Appropriate mitigation measures not already included in the proposed action or alternatives are to be included (40 CFR 1502.14, and CEQ’s Forty Most Asked Questions — Question 19b).

The “alternatives” section is the heart of the EIS. This section should rigorously explore and objectively evaluate all reasonable alternatives including the proposed action (CEQ Forty Most Asked Questions — Question 6).

Provide a summary comparison of the environmental impacts of the proposed action and the alternatives, based on the results of the analysis in the sections on the Affected Environment and Environmental Consequences....The narrative should not simply repeat impacts and key elements from the tables but should highlight the differences in impacts....The summary analysis should be objective and, to the extent possible, quantified. (Page V-18, BLM NEPA Handbook).

Chapter 2, Alternatives, does not satisfy the NEPA standard of providing a summary comparison of the environmental impacts of the proposed action and the alternatives; it is recommended that the BLM provide comparison of impacts in a supplemental DEIS.

G. Comments — Chapter 3, Affected Environment.

The major issues of concern in Chapter 3 are protection of ORVs; soils; affected environment the baseline for comparing the effects of the alternatives; water; wetlands and riparian areas; standard for fisheries being a healthy and viable population; removal of information in affected environment that does not contribute to understanding impacts documented in Chapter 4; misleading use of fish studies; cumulative impacts; criteria used in identification of spawning areas; methodologies for information gathering; safety sites of concern; socioeconomic; and mining (see Table 3 — NDG's Specific Comments On Chapter 3, Affected Environment). Chapter 3 does not satisfy NEPA standards, especially the affected environment being the documented baseline for comparing the effects of the alternatives.

40 CFR 1502.15 Affected environment. The environmental impact statement shall succinctly describe the environment of the area(s) to be affected or created by the alternatives under consideration. The descriptions shall be no longer than is necessary to understand the effects of the alternatives. Data and analyses in a statement shall be commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced. Agencies shall avoid useless bulk in statements and shall concentrate effort and attention on important issues. Verbose descriptions of the affected environment are themselves no measure of the adequacy of an environmental impact statement.

Chapter 3, Affected Environment, does not satisfy the NEPA standard of providing descriptions no longer than is necessary to understand the effects of the alternatives and being commensurate with the importance of the impact (i.e., the affected environment is the baseline for comparing the effects of the alternatives) (see NDG's Appendix D). We believe that there is valuable information in Chapter 3 that describes conditions beyond the CEQ requirements (i.e., describes conditions not related to the later environmental consequences chapter). However, this extra information should not be considered a substitute for the standard of describing the environment affected by the alternatives as described in the environmental consequences chapter.

It is recommended that the BLM rewrite Chapter 3 in a supplemental DEIS to meet the NEPA standard of providing descriptions no longer than is necessary to understand the effects of the alternatives, and being commensurate with the importance of the impact.

H. Comments — Chapter 4, Environmental Consequences (i.e., introduction, ORVs, T&E, energy requirements, probable adverse effects, short-term uses and long-term productivity, irreversible and irretrievable commitment of resources, air, fire, soils, and water).

Overall Evaluation. Chapter 4, the environmental consequences chapter, should form the scientific and analytic basis for the comparisons in the alternatives chapter (40 CFR 1502.14). It should consolidate the discussions of those elements required by sections 102(2)(C)(i), (ii), (iv), and (v) of NEPA which are within the scope of the EIS and as much of section 102(2)(C)(iii) as is necessary to support the comparisons. The CEQ standards for the chapter are that the discussion include the environmental impacts of the alternatives including the proposed action, any adverse environmental effects which cannot be avoided should the proposal be implemented, the relationship between short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and any irreversible or irretrievable commitments of resources which would be involved in the proposal should it be implemented. This section should not duplicate discussions in 40 CFR 1502.14. It should include discussions of, among other issues the direct effects and their significance (40 CFR 1508.8), and indirect effects and their significance (40 CFR 1508.8), including cumulative impacts. These standards are not permissive; they are CEQ regulations (see Appendix B). The chapter is also to include means to mitigate adverse environmental impacts (if not fully covered under [40 CFR 1502.14(f)]).

The river DEIS must stand on its own as an analytical document which fully informs decisionmakers and the public of the environmental effects of the proposal and alternatives (CEQ's Forty Most Asked Questions — Question 21).

There are many bald conclusions in the Hellgate RAMP/DEIS without a complete and objective evaluation of significant environmental impacts, both beneficial and adverse, resulting from a proposed action and all reasonable alternatives (see previous comments on procedural standards and impact methodologies). The alternatives chapter and the environmental consequences chapter are totally silent concerning mitigation measures — the topic is just not covered. Evidently there were absolutely no mitigation measures that could have been included. Specific examples of our concerns are provided for this overall observation concerning the failure of Chapter 4 to meet NEPA's procedural standards (see NDG's specific comments in tables 4A, 4B, 4C, and 4D).

It is recommended that the environmental consequences chapter focus on significant environmental issues and that it inform decisionmakers and the public document by documenting a full and fair discussion of significant environmental impacts.

Specific Comments On ORVs, T&E, Energy Requirements, Probable Adverse Effects, Short-term Uses and Long-term Productivity, Irreversible and Irretrievable Commitment of Resources, Air, Fire, Soils, and Water.

The major issues of concern for this part of Chapter 4 are: effects of alternatives not compared with the affected environment; some management standards without NEPA analysis; full and fair discussion of significant effects not provided; relative importance of ORVs not provided; conclusionary statements without rationale; no application of short term and long term as defined in glossary; effects of alternatives erroneously compared with other alternatives; merely describing increase or decrease of boating traffic rather than impacts; and cumulative analysis (see Table 4A — NDG's Specific Comments On Chapter 4, Environmental Consequences). Chapter 4 does not satisfy NEPA standards, especially the requirement that the EIS provide a full and fair discussion that informs decisionmakers and the public of significant environmental impacts.

It is recommended that the environmental consequences chapter focus on significant environmental issues and that it inform decisionmakers and the public by documenting a full and fair discussion of significant environmental impacts.

I. Comments — Chapter 4, Environmental Consequences (Riparian Areas And Fisheries)

The major issues of concern for this part of Chapter 4 are: conclusionary statements of significance without rationale; lack of mitigation measures; confusing to inadequate impact methodologies; healthy and viable salmon population not indicator; cumulative impacts not provided; fish studies not comprehensively documented to erroneously referenced; alternative design problems; disagreement with significance determinations; full and fair discussion of significant effects not provided; no application of short term and long term as defined in glossary; unavailable or incomplete information standard not being used correctly; effects of alternatives erroneously compared with other alternatives; merely describing increase or decrease of boating traffic rather than impacts; cumulative analysis; and effects not compared to documented conditions in affected environment chapter (see Table 4B — NDG's Specific Comments On Chapter 4, Environmental Consequences: Riparian Areas and Fisheries). Chapter 4 does not satisfy NEPA standards, especially the requirement that the EIS provide a full and fair discussion that informs decisionmakers and the public of significant environmental impacts.

It is recommended that the riparian and fisheries sections of the environmental consequences chapter focus on significant environmental issues, and that they inform decisionmakers and the public by documenting a full and fair discussion of significant environmental impacts.

J. Comments — Chapter 4, Environmental Consequences (Wildlife)

The major issues of concern for this part of Chapter 4 are: no alternative elements designed, nor mitigation measures identified because of potential wildlife impacts; full and fair discussion of significant effects not provided; unavailable or incomplete information standard not being used correctly; describing increase or decrease of boating traffic rather than impacts; numerous assumption statements without rationale; confusing to inadequate impact methodologies; conclusionary statements without rationale; and no application of short term and long term as defined in glossary (see Table 4C — NDG's Specific Comments On Chapter 4, Environmental Consequences: Wildlife). Chapter 4 does not satisfy NEPA standards, especially the requirement that the EIS provide a full and fair discussion that informs decisionmakers and the public of significant environmental impacts.

It is recommended that the environmental consequences on wildlife focus on significant environmental issues and that it inform decisionmakers and the public by documenting a full and fair discussion of significant environmental impacts, especially the application of the unavailable or incomplete information standard (40 CFR 1502.22).

K. Comments — Chapter 4, Environmental Consequences (i.e. scenery, motorized boaters, nonmotorized boat floaters, boat anglers, bank anglers, campers, trail users, etc.).

The major issues of concern for this part of Chapter 4 are: full and fair discussion of significant effects not provided; documentation of effects to motorized boaters and boat anglers not commensurate with their identification as significant planning issues and the design of the alternatives in Chapter 2; access opportunities of very young, elderly, timid, and handicapped not addressed; carrying capacity analysis not provided for boat anglers; identified sound effects are not effects; describing increase or decrease of boating traffic rather than impacts; numerous assumption statements without rationale; confusing to inadequate impact methodologies; conclusionary statements without rationale; no application of short term and long term as defined in glossary; no significance standards (e.g., socioeconomic effects, etc.); crucial impacts from potential new visitor centers not addressed (see NDG's Appendix H); management costs of providing services to different users not addressed; and other miscellaneous impacts not addressed (i.e., ecological conditions, human waster, inappropriate behavior, alcohol on river, and public access) (see Table 4D — NDG's Specific Comments On Chapter 4, Environmental Consequences). Chapter 4 does not satisfy NEPA standards, especially the requirement that the EIS provide a full and fair discussion that informs decisionmakers and the public of significant environmental impacts.

It is recommended that the environmental consequences focus on significant environmental issues and that they inform decisionmakers and the public by documenting a full and fair discussion of significant environmental impacts.

L. Comments — Chapter 5, Consultation and Coordination.

The BLM's documented public involvement program was very comprehensive from 1991 to 1995 (see pages 258 - 262 of the DEIS). After that it appears that the public, agencies, and organizations were not in the loop. What happened?

The assessment of ORVs' section in the affected environment chapter documented that the ORVs had been identified by the U.S. Forest Service and the Bureau of Land Management interdisciplinary team (page 113 of the DEIS) and referenced Appendix B of the DEIS. Chapter 5, Consultation and Coordination, of the DEIS (pages 249 - 262) did not document any U.S. Forest Service and the Bureau of Land Management interdisciplinary team, nor identify any joint process where the agencies concurrently developed the ORVs. Appendix B on the ORVs is also without documentation of any coordination in developing the ORVs.

It is recommended that documentation be provided in the consultation and coordination chapter of a supplemental DEIS that the U.S. Forest Service and the BLM jointly developed the ORVs, including the elements of the ORVs (i.e., vegetation, geology, topography, fishery populations, fishery habitat, jetboating, white water floating, fishing, hiking, interpretation, fish and wildlife observation, and sightseeing/driving for pleasure) for the National Wild and Scenic Rogue River.

M. Comments — Bibliography.

The bibliography was comprehensive. The Alaska fish study by Horton should be included. The concern with the bibliography was the general lack of referencing to it in the text. This was a lost opportunity for the decisionmaker and the public to understand the basis for many of the text statements.

N. Comments — Glossary.

The glossary was comprehensive, but in many cases it did not appear to be used (i.e, short term and long term, etc.).

O. Comments — Index.

The RAMP/DEIS does not have an index. However, 40 CFR 1502.10 requires agencies to use a format for EISs which will encourage good analysis and clear presentation of the alternatives, including the proposed action; an index is required by CEQs regulations for implementing the procedural provision of NEPA. The EIS index should have a level of detail sufficient to focus on areas of the EIS of reasonable interest to any reader. It cannot be restricted to the most important topics (CEQ's Forty Most Asked Questions — Question 26a).

The DEIS does not satisfy the NEPA standard of EISs having an index and it is recommended that the BLM correct this deficiency in a supplemental DEIS.

IV. PROCEDURAL REQUIREMENTS — APPENDICES

Appendix A. Selected Parts of BLM’s NEPA Handbook: H-1790-1.

Appendix A documented selected parts of BLM’s NEPA handbook.

Appendix B. Selected CEQ Regulations For Implementing NEPA

Appendix B documented selected parts of CEQ regulations for implementing NEPA.

Appendix C. Selected Portions Of CEQ’s 40 Questions

Appendix C documented selected portions of CEQ’s 40 most asked questions.

Appendix D. Evaluation Of Significant Impacts Model & Recommended Impact Methodology.

Appendix D is primarily an evaluation of the impact methodologies used in the Hellgate RAMP/DEIS and a recommended impact methodology.

V. SPECIFIC COMMENTS ON APPENDICES OF THE HELLGATE RAMP/DEIS

Appendix E. Comments On Hellgate RAMP/DEIS’s Appendix B — ORVs

We have two overall concerns with Appendix B.

- Relative Importance of the Documented ORVs.
- Coordination With U.S. Forest Service.

Our first concern is the relative importance of the documented ORVs. Many alternative elements are designed around the issue of protection and enhancement of an ORV or an element of an ORV. This was reasonable in alternative design. However, many documented “effects” in the environmental consequences chapter of the DEIS made unexpressed assumptions that one ORV had dominance over another, or was silent about the ORV, or the ORV element being impacted. This was a problem.

How did the BLM decide which ORV had or has precedence over another ORV? For example, what criteria was used to determine which element of the recreational ORV would or will be protected over another element of the recreational ORV (i.e., angling, floating, or motorized boating)?

It is recommended that the criteria by which one ORV, or one element of the ORVs, will be protected over another ORV, or element of another ORV, be documented in a supplemental DEIS.

Our second concern is the development of the National Wild and Scenic Rogue River's ORVs by the Bureau of Land Management in coordination with the U. S. Forest Service. The assessment of ORVs' section in the affected environment chapter documented that the ORVs had been identified by the U.S. Forest Service and the Bureau of Land Management interdisciplinary team (page 113 of the DEIS) and referenced Appendix B of the DEIS. Chapter 5, Consultation and Coordination, of the DEIS (pages 249 - 262) did not document any joint U.S. Forest Service and the Bureau of Land Management interdisciplinary team, nor identify any joint process where the agencies jointly developed the ORVs. Appendix B is also without documentation of any coordination in developing the ORVs.

It is recommended that documentation be provided in a supplemental DEIS that the U.S. Forest Service and the Bureau of Land Management jointly developed the ORVs, including the elements of the ORVs for the National Wild and Scenic Rogue River.

Appendix F. Comments On DEIS's Appendix C — Management Standards

References should be given for all management standards documented in Appendix C. The public needs to understand where these standards originated and that these standards have already satisfied the National Environmental Policy Act's procedural requirements. There are some identified standards for which we take exception. For example, we do not believe that a ROS management standard exists in the sense of policy in an existing plan(s), decision record, or record of decision — It is believed that there is no NEPA analysis for this policy statement. It is recommended that BLM provide the NEPA analysis and decision and/or plan that establish a policy decision or allocation of “modified natural motorized river, including the social encounters for a rural river.” If the documented rationale can not found it is recommended that this section be removed from Appendix C and that other sections dependent on the assumption of a ROS management standard be changed to reflect the actual policy.

Appendix G. Comments On DEIS's Appendix G — Fisheries Factors And Assumptions.

There are numerous problems with the Hellgate RAMP/DEIS's Appendix G that need to be addressed (see NDG's Appendix G).

There are also several DEIS sections besides Appendix G that address an impact methodology for fisheries (i.e., pages 198 - 199, Table 4-1 on page 239). They are collectively confusing to try and interpret, but understanding the impact methodology is critical to the decisionmaker(s) and the public judging the reliability of the impact analysis and, therefore, the significance of the impacts.

It is recommended that all the elements of the fishery impact methodology be rewritten and combined into one section in a supplemental DEIS. It is recommended that the indicator be impacts to the fall chinook salmon population and the standard be the numbers supporting a healthy and viable population.

Appendix H. Comments On DEIS's Appendices D, E, F, H, and I.

There are major problems with Appendix I, Visitor Center Site Locations.

Appendix I. Detailed Scoping Comments By Environmental Protection Agency On The Hellgate RAMP/DEIS.

The Environmental Protection Agency's 1994 comment letter to the BLM on the notice of intent to prepare the Hellgate RAMP/DEIS is a comprehensive letter covering its interpretation of the procedural requirements of NEPA. The EPA wrote the letter in accordance with its responsibilities under NEPA and Section 309 of the Clean Air Act. A quote from EPA's cover letter follows.

"Detailed scoping comments are enclosed regarding issues that we believe are significant and should be evaluated in the draft EIS. Our experience has shown that when these environmental concerns are thoroughly evaluated, the EIS is a more meaningful document."

Appendix I will be referenced in our specific comments as appropriate.

VI. NEPA DESIGN GROUP

Appendix J. Professional Credentials of NEPA Design Group.

The professional credentials of NEPA Design Group are documented in Appendix J.