

Hugo Neighborhood Association & Historical Society

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Web Page: <http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

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Orville Camp, Author
Forest Farmers Handbook: A Guide to Natural Selection Forest Management (1984); *The Natural Selection Alternative Natural Selection Alternative for the Medford District BLM South Deer Landscape Management Project* (EA# OR110-05-10)
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Subj: National Environmental Policy Act (NEPA) Purposes of Josephine County (JO CO)
Justice System Public Safety Services (JSPSS) Study Design: 2015 Project: NEPA Analysis of a Range of Reasonable Citizen Alternatives & Analysis of the Significant Impacts of Those Alts

Dear Mary, Orville, & Serena:

My brainstorming with you directly relates to Hugo's project for the last four years - *Justice System & Public Safety Services Study Design: 2015* project (*Study Design*) (Josephine County's public safety issue) and its "Impact Methodology Model" (NEPA References). For example, our NEPA brainstorming with you Thursday, March 9, 2017, and Mary Saturday, March 11, 2017, about citizen comments on alternatives and impacts of a BLM timber sale EIS/EA as they relate to the 2017 *Natural Selection Alternative, Deer Creek Watershed Pilot Project* (NSA) cover at least two important topics.

1. Comments on analysis of "reasonable" BLM NEPA timber sale alternatives. Analyze all alternatives, including a citizen proposed *Natural Selection Alternative, Deer Creek Watershed Pilot Project*, for compliance with BLM legal "reasonable alternatives" requirements (NEPA references: Selected Council of Environmental Quality (CEQ) Regulations For Implementing The Procedural Provisions of NEPA; Selected Portions Of CEQ's 40 Questions; Selected Parts

Of BLM NEPA Handbook: H-1790-1; U.S. Department of the Interior's Manual Guidance on the National Environmental Policy Act of 1969 (516 DM 1-7) etc.).

2. Comments on "significant" impacts, or non-significant impacts, from those reasonable alternatives. Analyze all alternatives, including a citizen proposed *Natural Selection Alternative, Deer Creek Watershed Pilot Project*, for compliance with BLM legal "significant impacts" requirements (NEPA References: CEQ Regulations For Implementing NEPA; CEQ's 40 Questions; BLM NEPA Handbook; USDI NEPA Manual; etc.).

BLM's NEPA Handbook: H-1790-1 is important [or its replacement if not active].

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..."

Per our on-going brainstorming on public comments for BLM NEPA EISs and EAs, I feel you will find the following two documents of value.

1. *Numerical Visitor Capacity: A Guide to its Use in Wilderness* (Attachment 1). Important concepts in its compliance impact methodology follow: 1. significant issue, 2. significant impact, 3. affected condition, 4. indicator, 5. standard, and 6. significance determination.
2. *NEPA Design Group's Comments on the Hellgate RAMP/DEIS* (Attachment 2; References).

I feel that from an informed citizens' point of view, the Hugo JSPSS Exploratory Committee's *Aspiration Letter From Authors Of Study Design* could have been written for the Deer Creek Valley Natural Resources Conservation Association. The overlap is that the *Exploratory Committee* used NEPA to design the *Justice System & Public Safety Services Study Design: 2015* project (NEPA References).

Sincerely,

Mike :)

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References:

- NEPA References
- Appendices to Justice System & Public Safety Services Study Design: 2015
- Scoping Rogue River's Outstandingly Remarkable Values: 2014
- Outreach - Justice System Exploratory Committee

Attachments:

Attachment 1. *Numerical Visitor Capacity: A Guide to its Use in Wilderness*

Attachment 2. *NEPA Design Group's Comments on the Hellgate RAMP/DEIS: 2001*

NEPA REFERENCES
Justice System & Public Safety Services Study Design: 2015
Justice System Exploratory Committee
<http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

Draft March 16, 2017

Justice System & Public Safety Services Issue Scope Of Work: 2013

Justice System Exploratory Committee
<http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

Adequate information for the proposed JS&PSS Study is the standard. See following Chapter III Justice System & Public Safety Services Issue Scope of Work.

Justice System & Public Safety Services Study Design: 2015

Justice System Exploratory Committee
<http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

Chapter (Intro) ARGUMENTS FOR SUPPORTING STUDY DESIGN (Table Talk - See Chpt XVI)
Section 2. "Purpose Of Study relating to impact methodology.

A significant Study compliance standard is for the Study team to use a impact methodology model. The most important concept of the "impacts methodology" is that it uses the scientific method - it is not rocket science, but the process is logical, and traceable, and is available to the public, agencies, and governments for review. It will also identify the process to determine whether an impact is significant, or not, and the rationale to support the significance determination.

Chapter II. PURPOSE (pps. Chpt II 1 -2)

Section A. "Human Face Of Justice System & Public Safety Services Study Design"

Goal 1, Objective 2. Identify preliminary qualitative impacts of each alternative evaluated by condition indicators and standards by the public. Objectives are specific achievements to help reach the goal. Typically, they're measurable and have a timeline.

Goal 2, Objective 2. Analyze the impacts of each alternative evaluated by condition indicators and standards through a combination of citizen input and professional expert analysis.

Section B. Justice System & Public Safety Services Study, Josephine County, Oregon

Section 1. Study Grant

Section a) Purposes

- Promote informed decision-making by making "detailed information concerning significant impacts" available to both the public and government leaders.
- A full disclosure document that details the process through which the JS&PSS study project was developed, includes a range of reasonable alternatives, analyzes the potential impacts resulting from the alternatives, and demonstrates compliance with the law, or not.

Chapter III. JUSTICE SYSTEM & PUBLIC SAFETY SERVICES ISSUE SCOPE OF WORK

Section B. Hugo Justice System & Public Safety Services Exploratory Committee (pps. Chpt III 2 - 3). Adequate information for the proposed JS&PSS Study is the standard. An adequate information assessment/analysis has several elements and a conclusion of adequacy (Scope, p. 6).

- Information Is Understood Or Not
- Supporting Arguments Are Made Or Not
- Standard(s) of Review
- Applicable Evidence/Facts

- References and Sources of Information
- Compliance With Adequacy Information Analysis Elements Or Not

Chapter VI. PROCEDURAL REQUIREMENTS

Section A. Procedural Requirements For JS&PSS Study Design (pps. VI 1 - 2; Appendix D1)

Section B. Impact Methods (pps. VI 3 - 6; Appendix D1; USDOA, USFS, Rocky Mountain Research Station. October 2010. *Numerical Visitor Capacity: A Guide to its Use in Wilderness*. Fort Collins, CO)

Section VI.B.2. Significant Impact Methodology. There is a high correlation between the requirements of the JS&PSS Design Study impacts process and the Wild & Scenic Rivers Act (WSRA) and NEPA when it comes to threshold determinations of whether the impacts of a major action significantly affects the quality of the human condition. It is interesting and significant that both the WSRA and NEPA became law in the same year - 1968. They both have principles of carrying capacity and thresholds performing exactly the same task.

1. JS&PSS Design Study significant impacts with indicators and standards.
2. NEPA significant impacts with indicator and thresholds or standards
3. NEPA carrying capacity with indicators and thresholds or standards
4. WSRA user capacities (carrying capacity) indicators with standards (thresholds)

Section C. Analysis Documentation & Method (p. VI 7)

Section D. Basic Impact Methodology Model (pps. VI 8 - 10; Appendix B1; Appendix D1)

Chapter VII. STUDY DESIGN (pps. VII 1 - 3)

Section A. Introduction

Section B. Contract Compliance Impact Methodology

1. Significant Issue
2. Significant Impact
3. Affected Condition
4. Indicator
5. Standard
6. Significance Determination

Chapter IX. RANGE OF ALTERNATIVES (pps. IX 1 - 2)

Section A. Introduction

1. JO CO Justice System & Public Safety Services
2. Background
3. Introduction To [Reasonable] Alternatives
 - a) What is meant by "range of alternatives"?
 - b) How many alternatives have to be discussed when there is an infinite number of possible alternatives?
 - c) Should JO CO consider alternatives outside its capability?
 - d) What does the "no action" alternative include?
 - e) Is the analysis of any future CO's "proposed measure/levy" to be treated differently from the analysis of other alternatives?
 - f) What is the difference between "alternatives" and "impacts"?

APPENDICES to Justice System & Public Safety Services Study Design: 2015

http://www.hugoneighborhood.org/JSPSS_Appendices.htm

- Appendix A. Issues
- Appendix A1. Being Heard
- Appendix A2. All Values Are Legitimate
- Appendix B. Affected (emphasis added)
- Appendix B1. Potential Affected Conditions
- Appendix B2. Studies & Information
- Appendix B3. Analysis of Public Situation

- **Appendix C. Alternatives** (emphasis added)

- **Appendix D. Procedural Requirements** (emphasis added) (Appx. D pps. IV 1 - 38)
Chapter IV. PROCEDURAL REQUIREMENTS
Section A. Selected Parts Of BLM's NEPA Handbook: H-1790-1 (Appx. D pps. IV 1 - 5); Dept of the Interior's Manual Guidance on the National Environmental Policy Act of 1969 (516 DM 1-7)
Section B. Selected CEQ Regulations For Implementing The Procedural Provisions of The National Environmental Policy Act (Appx. D pps. IV 6 - 12)
Section C. Selected Portions Of CEQ's 40 Questions (Appx. D pps. IV 13 - 16)
Section D. Evaluation Of Significant Impacts Model And Recommended Impact Methodology (Appx. D pps. IV 17 - 34)
Section E. NEPA's Significantly, *Scoping Rogue River's Outstandingly Remarkable Values* (Appx. D pps. IV 35 - 38)

- **Appendix D1. Impact Methodology Model** (emphasis added)
Chapter IV. PROCEDURAL REQUIREMENTS (Appx. D1 pps. IV 1 - 6)
Section A. Procedural Requirements For JS&PSS Study Design
Section 1. Logical and Coherent Record
Section 2. Procedural Standards
Section 3. Impact Methodologies
Section B. Impact Methods
Section 1. Introduction
Section 2. Significant Impact Methodology
Section C. Analysis Documentation & Method
Section 1. Information Statements by Government and Other Publications, Including News Articles
Section 2. Information Statements Should
Section 3. Analysis Method

Chapter V. BASIC IMPACT METHODOLOGY MODEL (Appx. D1 pps. V 1 - 5)
Section A. Basic Impact Methodology Model
Section 1. Legal Requirements .
Section 2. Basic Impact Model
Section B. Contract Compliance Impact Methodology

- **Appendix E. Impacts** (emphasis added)

NEPA Design Group's Comments on the Hellgate RAMP/DEIS: 2001

- **NEPA Design Group Cover Letter to BLM**
- **I. INTRODUCTION**
- **II. PROCEDURAL REQUIREMENTS**
 - A. **Logical and Coherent Record**
 - B. **Procedural Standards**
 - C. **Impact Methodologies**
- **Procedural Requirements**, was adapted from Chapter II, Procedural Requirements, *NEPA Design Group's Comments on the Hellgate RAMP/DEIS*.

NEPA Design Group. February 15, 2001. Chapter II, Procedural Requirements, *NEPA Design Group's Comments on the Hellgate RAMP/DEIS*. Prepared for Bureau of Land Management, Medford District Office, United States Department of Interior. Hugo, OR.

- **BLM's NEPA Handbook: H-1790-1**

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..."

- **Department of the Interior's Manual Guidance on the National Environmental Policy Act of 1969 (516 DM 1-7)**
- **IV. PROCEDURAL REQUIREMENTS — APPENDICES**
 - APPENDIX A. Selected Parts Of BLM's National Environmental Policy Act Handbook: H-1790-1
 - APPENDIX B. Selected CEQ Regulations For Implementing The Procedural Provisions of The National Environmental Policy Act
 - APPENDIX C. Selected Portions Of CEQ's 40 Questions
 - APPENDIX D. Evaluation Of Significant Impacts Model And Recommended Impact Methodology

Scoping Rogue River's Outstandingly Remarkable Values: 2014

http://www.hugoneighborhood.org/OutstandinglyRemarkableValues_DraftFINAL120814.pdf

- Hugo Neighborhood Association & Historical Society, Rogue Advocates, & Goal One Coalition. Preliminary Draft December 8, 2014. *Scoping Rogue River's Outstandingly Remarkable Values, Other Similar Values, & Other River Values*. Hugo, OR.

Chapter II.	INTERPRETATIONS
Section II.A.	Reminiscences & Opinions
Section II.A.2.	Outstandingly Remarkable Values
Section II.A.2.k)	Comprehensive River Management Plans
Section II.A.3.	NEPA Significant Impact Methodology
Section II.B.	Methodology for Determining Outstandingly Remarkable Values for Wild & Scenic Rivers
Section II.B. 1.	Eligible for NWSRS Designation
Section II.B. 2.	Visitor Use and Capacity
Section II.D.	Summary and Conclusions
Appendix C.	NEPA's Significantly

Section II.A.2.k) Comprehensive River Management Plans

Comprehensive River Management Plan (CRMP). Not surprisingly, time and resources are positively related to the quality of thresholds and the accuracy of user capacity estimates. More accurate and defensible approaches are more costly, in time and resources. Capacity processes can generally be arrayed on a spectrum from (1) explicit thresholds, high accuracy approaches that require substantial time and resources to (2) implicit thresholds, low accuracy approaches that require little time and resources. The selection of a numerical estimation capacity process will largely be one of selecting an appropriate point on this spectrum, understanding the limitations of whatever process is undertaken, and striving to minimize those limitations. This is similar to the concept of a sliding scale: "The sliding scale rule of analysis says that the level of analysis should be commensurate with the purpose or potential consequences." The greater the potential consequences, impacts or risks, the more certainty and precision are needed, with resultant implications for the amount and quality of science and information that is needed (USDOA, USFS, Rocky Mountain Research Station, October 2010. *Numerical Visitor Capacity: A Guide to its Use in Wilderness*. Fort Collins, CO). [*Numerical Visitor Capacity*].

The process of deriving a meaningful numerical capacity is useful for the entirety of visitor use management. It involves **identifying goals, objectives, desired conditions, and what we refer to as thresholds (often called indicators and standards)**. It requires **monitoring**, evaluating the factors that influence impacts of concern, and identifying the **entire suite of visitor management actions** to be taken. Consequently, working through a capacity estimation process, regardless of whether limiting use is an important management tool, will benefit any recreation management program (*Numerical Visitor Capacity*).

Section II.A.3. NEPA Significant Impact Methodology

NEPA, Section 102(2)(C) — Threshold Determinations. All agencies shall include an EIS with any proposal which is a major federal action significantly affecting the quality of the human environment. Therefore, all agencies must make a threshold determination concerning any proposal as to whether it is a major federal action, and if so, whether it significantly affects the quality of the human environment (Appendix C; Appendix D).

What criteria should be used to assess whether or not impacts are significant (see 40 CFR 1508.27). The ID team is responsible for the identification and use of thresholds of context and intensity for use in determining impacts.

Factors to consider in determining significance are set forth in 40 CFR 1508.27. To determine significance, impact prediction may be compared to some parameter or maximum/minimum level of effect beyond which

the impacts become significant (i.e., a significance threshold). Law, regulation, prior commitments, professional expertise, the manager's best judgement, and public opinion can affect the setting of significance thresholds.

The analysis of impacts must address direct, indirect (i.e., regional), and cumulative impacts on all affected resources of the human environment, including critical elements (i.e., air quality, areas of critical environmental concern, cultural resources, farm lands - prime or unique, flood plains, Native American religious concerns, threatened or endangered species, wastes - hazardous or solid wastes, water quality - drinking and ground, wetlands, riparian zones, wild and scenic rivers, and wilderness). Impacts should be identified in relationship to thresholds of context and intensity.

Appendix C. NEPA's Significantly - 40 CFR 1508:

What criteria should be used to assess whether or not impacts are significant when determining the scope of an action? The following are applicable standards quoted from the CEQ regulations, 40 CFR 1508.

NEPA, Section 102(2)(C) — Threshold Determinations. All agencies shall include an EIS with any proposal which is a major federal action significantly affecting the quality of the human environment. Therefore, all agencies must make a threshold determination concerning any proposal as to whether it is a major federal action, and if so, whether it significantly affects the quality of the human environment.

Sec. 1508.4 Categorical Exclusion
Sec. 1508.7 Cumulative Impact
Sec. 1508.8 Effects
Sec. 1508.14 Human Environment
Sec. 1508.19 Matter
Sec. 1508.20 Mitigation
Sec. 1508.25 Scope
Sec. 1508.27 Significantly

OUTREACH - JUSTICE SYSTEM EXPLORATORY COMMITTEE

Justice System & Public Safety Services Study Design: 2015

<http://www.hugoneighborhood.org/justicesystemexploratorycommittee.htm>

Outreach http://www.hugoneighborhood.org/JSPSS_Outreach.htm

- Outreach 1.1. What's the Problem?
- Outreach 1.2. Arguments For Supporting Study Design
- Outreach 1.3. Summary Highlights: Arguments For Supporting Study Design
- Outreach 1.4. Introduction To Justice System Exploratory Committee's Study Design Web Page
- Outreach 5.1. Vetted Public Safety Facts
- Outreach 5.2. Summary Highlights: Vetted Public Safety Facts
- Outreach 5.5. Summary Highlights: JO CO's MALPSS Research Project
- Outreach 5.6. Executive Summary: JO CO's Minimally Adequate Level Of Public Safety Services (MALPSS)
- Outreach 5.6.1. Study Design Web Publications On MALPSS
- Outreach 7.1. Table Talk Discussion Script
- Outreach 9.1. JS&PSS Issue Overview Educational Brochure
- **Outreach 10. Aspiration Letter From Authors Of Study Design** (emphasis added)