

BRIEFING PAPER

Pacific Northwest Region - Rogue River-Siskiyou National Forest

Date: March 14, 2016

“Southwestern Oregon Watershed & Salmon Protection Act of 2015”

Summary: This proposed mineral withdrawal is “In Aid of Legislation” that Congress is currently considering: Senate Bill 346 and House Resolution 682, the “Southwestern Oregon Watershed and Salmon Protection Act of 2015”. <https://www.congress.gov/bill/114th-congress/senate-bill/346> and www.congress.gov/114/bills/hr682/BILLS-114hr682ih.xml

The mineral withdrawal includes 95,806 acres of National Forest System lands on the Rogue River-Siskiyou National Forest and 5,216 acres of Bureau of Land Management lands on the Medford District and Coos Bay Districts. A two-year “segregation period” started with the publication of a Federal Register Notice on June 29, 2015 <http://1.usa.gov/1RBNJzbb> . The segregation period is needed to process the withdrawal application, which includes environmental analysis.

Subject to valid existing rights, the two-year period segregates the public, O&C, and National Forest System lands from settlement, sale, location, and entry under the public land laws including the United States mining laws, and operation under the mineral and geothermal leasing laws while the 114th Congress considers proposed legislation S. 346 and H.R. 682. Within the withdrawal areas are 1,680 acres of non-federal land which are not currently affected by segregation or withdrawal.

Public Input: The publication of the Federal Register Notice started a 90-day public comment period that ended September 28, 2015. Two public meetings were held to provide the public with an opportunity to comment. One at Gold Beach, OR on September 9, 2015 and the other at Grants Pass, OR on September 10, 2015. Each meeting was attended by between 200 and 250 people. Over 100 members of the public spoke at these two meetings and the verbal comments were overwhelmingly in favor of the proposed withdrawal. Only 2 people spoke in opposition. Roughly 23,000 comments were received, including 390 personalized emails included and 190 hand written letters. Of all the comments received, 20 were opposed to the withdrawal.

NEPA Notice and Comment: The 30-day notice and comment period occurs upon the release of this environmental assessment. This comment period will satisfy both Forest Service and BLM NEPA requirements and is scheduled to start on April 15, 2016. The comment period is initiated by legal notice posted in the newspapers of record (the Medford Mail Tribune, the Grants Pass Daily Courier, and the Coos Bay World) when the environmental assessment is released to the public.

Objection and Appeal: This proposal is not subject to objection under Forest Service regulations at 36 CFR 218 because it is making a recommendation to another federal agency. In the case of a land withdrawal, the decision is the Public Land Order (PLO) (or Notice of Denial) issuing from the Secretary of the Interior, pursuant to the Federal Land Policy and Management Act. Additionally, there will be no BLM protest period. Protests for BLM projects typically go to Interior Board of Land Appeals. Because the action is a department level action by the Secretary of the Interior, any challenges must be filed through district court.

USDA Forest Service is an equal opportunity provider and employer.



for the greatest good

BRIEFING PAPER

Continued

Mineral Withdrawal Application Process: The USFS is the lead agency for the NEPA analysis and other required case file documents. Preliminary information from a draft “Mineral Potential Report” was provided to the Interdisciplinary Team on February 15, 2016 listing the types of mining and most likely locations for mining in the withdrawal areas. The Final Mineral Potential Report is currently being reviewed. Substantive public comments were compiled by the BLM and shared with the USFS Interdisciplinary Team to inform the NEPA process by identifying issues and any additional alternatives that need to be considered.

Issues and alternatives identified by the public were compiled and shared with the USFS and BLM “recommending officials” for the NEPA analysis. The NEPA analysis is on-schedule to be completed by June 17, 2016 and analyzes three alternatives: “No Action”; “5 Year Withdrawal”; and “20 Year Withdrawal”. USFS and BLM reviews of draft components of the NEPA analysis have been taking place. The final draft analysis review is scheduled to begin by May 31, 2016. The final NEPA analysis is scheduled to be submitted to the USFS Region 6 Office and BLM Oregon State Office by June, 17, 2016.

After a final technical review by the USFS and BLM, the Pacific Northwest Regional Forester will forward the recommendation and the supporting documentation required to implement withdrawal to the BLM’s Washington/Oregon State Director. BLM’s State Director will prepare and deliver the case file, including the authorized officer’s finding and recommendations to BLM’s Director. BLM’s Director reviews the case file and recommendations and then decides if the case file is complete and ready to be forwarded to the Secretary of the Interior. Last, the Secretary of the Interior will issue a Public Land Order executing the withdrawal or a “notice of denial”.

The following link displays a graphic of the Process and Timeline with more information

http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3855062.pdf .



for the greatest good