



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

South Willamette Watershed District Office
7118 NE Vandenberg Ave
Corvallis, 97330
(541) 757-4186
(541) 757-4252



25 November 2024

Via Email
Taylor Carsley
Lane County Land Management Division
taylor.carsley@laneountyor.gov
(541) 682-6765
3050 N. Delta Hwy.
Eugene, OR 97408

RE: 509-PA23-05452/509-PA23-05454

The department offers the following comments and concerns in response to the Big Game Management Plan submitted by the applicant during the first open record period. The proposed mitigation measures fail to adequately address concerns regarding displacement, habitat loss, and the resulting direct and indirect impacts, both in the short and long-term, on big game and their habitat. To ensure effective mitigation, management objectives must be specific, measurable, time-bound, providing both in-kind and in-proximity mitigation for the impacts caused by mining activities.

Misunderstandings regarding mitigation could have been clarified if the applicant or their representatives had coordinated with ODFW prior to submitting the plan. ODFW recommends implementation of habitat mitigation requirements for all development actions that require an amendment to an acknowledged comprehensive plan (OAR 635-415-0020(3)(c)). Mitigation efforts for this project should align with ODFW Category 3 habitat classification standards, consistent with the goals and standards of OAR 635-415-0025(3). ODFW questions the success of mitigation efforts occurring within the 1500-foot impact zone of the mine and concurrently with mining activities. In this scenario, there would be no safe refuge for wildlife. The primary goal of mitigation is to establish a safe area outside the impact zone where animals can seek refuge, ensuring that there is no net loss in habitat quality or quantity for the big game species that rely on the property.

In response to the Northwest Resource Solutions letters that were also submitted as part of the record. The department has already reviewed and provided comments that account for anything that was raised in those documents. There are conflicts that were identified that lack appropriate minimization and mitigation measures that would allow us to support the impacts as being not significant. Noted impacts to reproductive success in elk from mining activities cannot be minimized by creating habitat in the impact area.

While the Big Game Management Plan represents a step in the right direction, it still contains several flaws identified by ODFW staff during the initial draft review in June 2023. Without clear and actionable mitigation measures that can be incorporated into conditions of approval by the County, the plan does not adequately address or identify potential impacts. As per OAR 660-023-0180(5)(d), the department recommends an ESEE (Economic, Social, Environmental, and Energy) analysis be conducted. The applicant has not demonstrated that the proposed mitigation can sufficiently minimize significant conflicts with big game – designated as a Goal 5 resource.

Respectfully,

A handwritten signature in black ink, appearing to read "Joe Stack", written in a cursive style.

Joseph Stack
Regional Habitat Biologist
Oregon Department of Fish and Wildlife