

August 10, 2020

Benton Forest Coalition
30892 Bellfountain Rd.
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Pursuant to 36 CFR 218, Benton Forest Coalition files the following objection to the Flat Country Draft Record of Decision.

Responsible Official: Darren Cross, District Ranger, McKenzie District, Willamette National Forest

Our objection is directly dependent on and supported by comments filed by Benton Forest Coalition on the Flat Country EIS filed on March 15, 2020, and those comments are included by reference.

Our objection specifically addresses the existence of red tree vole populations in harvest units -

- 1) the failure of contract surveys to detect the presence of red tree voles in harvest units
- 2) the failure of the McKenzie District to determine the extent of red tree vole presence within the project area,
- 3) the failure of the McKenzie District to protect viable dispersal habitat for red tree voles in harvest units,
- 4) the contribution of the Flat Country project to the extirpation of red tree voles, and
- 5) the decision by the McKenzie District to commercially log thousands of acres of foraging, nesting and dispersal habitat for the northern spotted owl.

The failure of contracted surveys:

Thirty six units in Flat Country met protocol for surveys – over 80 years of age, native forest, and with trees exhibiting the necessary structure for nesting by tree voles and other old forest dependent species, for a total of 1887 acres. Tree vole nests were detected in only two units.

A tour was conducted by members of Benton Forest Coalition in units 2110 and 2120 on 7/5/20. Not every old growth tree in these units was encountered, but in a simple loop, 50 old growth trees were GPS'd in groups of up to seven trees. In a table supplied by the district biologist, twenty one waypoints were listed as points of interest for red tree vole surveyors in units 2110 and 2120, and a number of trees were flagged for climbing, yet many brokentop old growth trees with structural diversity and, in some cases, cavity openings obvious from ground level, were not flagged. It's distinctly possible that despite surveys, and with a limited number of trees climbed, that red tree voles inhabit units 2110 and 2120, and other harvest units in the Flat Country project. It is impossible to determine the presence or absence of red tree voles in a native forest by climbing less

than half of the potential nest trees, especially brokentops and others with visible cavity openings.

Red Tree Vole Survey Protocol 3.0 perpetuates a significant misconception.

From Survey Protocol 3.0:

This red tree vole protocol utilizes a sampling methodology in which surveyors walk through management units and visually search trees for vole nests. Trees with nests discovered from the ground are then climbed to determine if the nest is a tree vole nest, and if so, the occupancy or activity status of that nest. (The terms, “occupancy” and “activity” are used interchangeably). The goal of this protocol is to assess presence or absence of red tree vole nests within the survey area and determine the occupancy status of those nests, not to discover every nest. The protocol requires the survey of large areas within each project area, and because many vole nests are visible from the ground, the protocol should result in few situations where vole nests are present but are completely undetected by the ground-based surveys.

Red tree vole nests are frequently hidden deep in cavities, or on top of limbs, forks or structural defects, and rarely visible from the ground. The above statement in Survey Protocol 3.0 :”*many vole nests are visible from the ground*” applies only to red tree vole habitat areas in Southern Oregon, where vole nests are frequently found on epicormic branching, or in vacated squirrel nests on limbs. A poll of field biologists and contract surveyors will reveal that tree vole nests in the central and northern part of red tree vole range are rarely visible from the ground, especially in stands with interspersed old growth trees. Nesting female red tree voles will choose trees in a stand that offer the largest possible platform to support a nest sufficient to raise offspring, and will frequently occupy cavities in brokentop old growth trees with duff deep enough to provide cover from predators.

Also from Survey Protocol 3.0:

Additional Survey Guidelines for Stands with Large Trees (SLT) Some stands meeting the habitat descriptions described in “Criteria for Determining the need for PreDisturbance Surveys” have conditions that make it difficult to detect vole nests from the ground. For purposes of this protocol, these are defined as stands, or portions of a stand, greater than 2 acres in size, with 2 or more trees > 36" dbh per acre, with a well-established understory or midstory that makes it difficult to fully see into the larger trees, such that MLT surveys are likely not effective in determining whether red tree voles are present in the stand.

The above statement perpetuates the error in survey protocol. The presence of “*a well-established understory or midstory*” has no effect on the visibility of a nest located in a cavity, or on top of a limb or defect. The tree structure itself obstructs nest visibility from the ground, not the existence of understory or midstory.

If the misdirection in Survey Protocol, that “many vole nests are visible from the ground” led to a reduction in trees designated for climbing, or the elimination of complete harvest units from the requirement to climb trees, contracted vole surveys in the Flat Country are inconclusive.

The failure of the McKenzie District to determine the extent of red tree vole presence in the project area.

There are three possibilities: 1) Red tree voles occupy old growth trees that were not chosen for climbing in units that were surveyed (as in the majority of old growth trees in units 2110 and 2120), 2) red tree vole populations exist in units not chosen for surveying, and 3) red tree voles exist only in units 1970 and 1980. Without complete surveys, it's impossible to determine which of these possibilities, or which combination of possibilities, is the case.

Many old growth trees are visible in other units from adjacent roads, and some of these units were not selected for red tree vole surveys. Units not meeting protocol, as in units above 3500' in elevation, may also harbor red tree voles. Recent red tree vole surveys by volunteers in both the Trout Creek project and the QMS project (Sweet Home District, FS) have detected multiple nests in five different harvest units above 3500' in elevation. Red tree vole nests were numerous enough above 3500' in the Trout Creek project to necessitate the dropping of four complete units for a total of 246 acres.

The failure of the McKenzie District to protect viable dispersal habitat for red tree voles.

In units chosen for surveying, if red tree vole nests are not detected, those stands still meet the criterion as viable habitat for dispersal. Thirty six units totaling 1887 acres were either transect surveyed or selected for climbing in the Flat Country project. Red tree vole nests were detected in two units, and fifty acres were removed from harvest. Including units over 3500' in elevation, 3136 acres of stands were considered for harvest (Prescriptions table), but 1249 acres, also over 80 years of age, were not selected for red tree vole surveys. Of stands over 80, only 50 acres were buffered, or .016% of stands over 80. That leaves 2986 acres, over 98%, of potential dispersal habitat for red tree voles unprotected from harvest in the Flat Country project.

From our comments:

Two aged stands with interspersed legacies can perform the same ecological function as pure old growth. A number of harvest units in Flat Country are native fire replaced forest with interspersed old growth. Drawing from the results of Northwest Ecosystem Survey Team surveys over the last nineteen years in twenty-nine other timber sales, it's a reasonable conclusion to make that two aged or multi-aged stands can offer viable habitat for owls, voles, woodpeckers, and other cavity nesters, if old growth trees with sufficient structure are present. This is especially relevant for red tree voles if a high percentage of canopy cover is maintained, as voles are less susceptible to predation when

they can utilize intersecting limbs to travel from tree to tree through the canopy while foraging, dispersing, or frequenting multiple nests.

The contribution of the Flat Country project to the extirpation of red tree voles:

From our comments:

Red tree vole habitat is severely fragmented across the species' range. According to a recent study by leading scientists Forsman and Swingle, the average size of a red tree vole habitat block is just two percent of what it was one hundred years ago. This is particularly relevant in Flat Country, where a patchwork of old FS clearcuts are interspersed with native forest over a large area. Although red tree vole surveys indicate the presence of voles across much of their range, it must be recalled that surveys have only been required for a few decades, and are not reliable indicators of the rate of decline. Red tree vole habitat is virtually nonexistent on industrial forest lands. At the rate the Forest Service and BLM are eliminating red tree vole habitat on public lands, conditions across Western Oregon will eventually approach the level of rarity of suitable habitat that led USFWS to designate red tree voles as candidates for listing in Oregon's North Coast.

If the Forest Service and the Bureau of Land Management continue to chip away at red tree vole habitat, including occupied stands, the average size of a block of red tree vole habitat will shrink to less than two percent of what it was one hundred years ago, and there will be fewer habitat blocks in existence. Every proposed harvest in viable red tree vole habitat should be analyzed in the context of the cumulative impact on species population across the range. The Flat Country project is no exception. In fact, Flat Country, with 34 harvest units over 80, may be a major contributor. Without a thorough exploration, it's impossible to determine how many units in Flat Country contain interspersed old growth trees, but visits by Benton Forest Coalition members have encountered old growth trees suitable for tree vole nests in units 1110, 1140, 2110, 2120, 1300, 1970, and 1980.

The Flat Country project will log thousands of acres of nesting, foraging, and dispersal habitat for the northern spotted owl. Reliance on USFWS consultation does not guarantee avoidance of harm.

The Flat Country project further impacts fragmented old growth ecosystems. Extensive previous harvests within the project area have reduced contiguous native forest stands to isolated patches. The Robinson Scott complex of timber sales a few decades ago left many stands in degraded conditions. The Flat Country project now targets the majority of native forest stands remaining after previous harvests.

Red tree voles, northern spotted owls and flying squirrels share similar habitat requirements. Red tree voles are an indicator species of healthy older forest ecosystems. Viable red tree vole habitat – the presence of old growth trees with structural defects and

cavities, offers nesting opportunities for flying squirrels, and both nesting and foraging opportunities for spotted owls. The Flat Country's conservative estimate of 65 acres of RA 32 habitat does not reflect the fact that thousands of acres in harvest units are viable dispersal habitat for spotted owls and older forest dependent species that will be impacted by harvest activities. The following underscores the importance of retaining fire-replaced stands with interspersed old growth, especially potential habitat for red tree voles and flying squirrels, like those in the Flat Country project:

From Population Demography of the Northern Spotted Owl (Forsman et al, 2011):

The fact that Barred Owls are increasing and becoming an escalating threat to the persistence of Spotted Owls does not diminish the importance of habitat conservation for Spotted Owls and their prey. In fact, the existence of a new and potential competitor like the Barred Owl makes the protection of habitat even more important, since any loss of habitat will likely increase competitive pressure and result in further reductions in Spotted Owl populations (Horn and MacArthur 1972, Olson et al 2004, Carrete et al, 2005) pg. 76.....there is considerable evidence that vital rates and population size of northern owls are strongly influenced by prey abundance (Korpimäki 1992, Rohner 1996, Hakkarainen et al. 1997), pg. 76.....we believe that a more inclusive definition of high-quality habitat is needed than the rather vague definition provided in the 2008 recovery plan. Much of the habitat occupied by Northern Spotted Owls and their prey does not fit the classical definition of "old growth" as defined by Franklin and Spies (1991) and a narrow definition of habitat based on the Franklin and Spies criteria would exclude many areas currently occupied by Northern Spotted Owls. Pg 77t.

Dr. Forsman estimates that a mating pair of spotted owls with fledglings in the Western Cascades will consume an average of 57 red tree voles per year.

Deficiencies in the EIS.

The EIS lists the project area as 74,063 acres. The actual project area is less than one third, or less than 25,000 acres. The EIS minimizes the proportionate impact of commercial logging within the project area by projecting impacts on an area three times the size. Claiming that the project area retains a high percentage of old growth stands is an attempt to distract the public from the virtual elimination of habitat for imperiled species within the actual project area. Neither the draft EIS or draft ROD contain satellite images of the project, so the public can assess the degree to which the landscape has been altered by logging and roadbuilding, and the degree to which the project area has been fragmented by previous commercial harvest.

Request for relief.

The McKenzie District should take a hard look at the impacts of harvest in the Flat Country project on red tree vole and spotted owl habitat, consider the cumulative impacts of habitat fragmentation throughout their range, and the contribution of Flat Country logging to that fragmentation. Units over 80 years of age with interspersed dominant trees should be withdrawn from harvest, and allowed to mature into old growth forest without intervention.

Reed Wilson

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