OBJECTOR'S NOTICE OF OBJECTION, STATEMENT OF ISSUES AND LAWS, AND REQUESTED REMEDIES

NOTICE OF OBJECTION

July 30st, 2021

Eric Watrud, Forest Supervisor, Reviewing Officer
ATTN: Objections, High Buck Project
Umatilla National Forest
72510 Coyote Road
Pendleton, OR 97801

RE: Blue Mountains Biodiversity Project's objection to the Umatilla National Forest High Buck Vegetation Management Project Environmental Assessment, Draft Decision Notice, and Finding of No Significant Impact

Dear Objection Reviewing Officer,

Blue Mountains Biodiversity Project (BMBP) hereby formally submits the following objections to the Umatilla National Forest High Buck Vegetation Management Project (High Buck) Environmental Assessment and Draft Decision Notice and Finding of No Significant Impact. BMBP has secured the right to submit objections and thereby participate in the pre-decisional administrative review process for this project. BMBP has submitted timely written scoping comments regarding this project and is now submitting extensive comments on the Draft Environmental Assessment, as new information since the Scoping period, as part of informing and explaining our objections. We are also submitting field survey sheets and sample photographs from our surveying the affected area sale units to assess conditions on the ground to provide evidence for our comments and objections. Our comments on the Environmental Assessment and our field survey sheets and sample photo displays are part of our objection and inform our objections and proposed remedies regarding the High Buck timber sale (aka "High Buck Project".)

Decision Document
High Buck Vegetation Management Project Environmental Impact Assessment, Finding of No significant Impact, and Draft Decision Notice

Date Decision published
June 17th, 2021

Responsible Official
Eric Watrud, Forest Supervisor, Walla Walla Ranger District, Umatilla National Forest

Description of the Project

Re: Alternative A, the proposed action chosen in the Draft Decision Notice:
"Alternative A would convert old forest stands from multi-strata to single stratum, so there would be no net loss of old forest. However, any management of old growth stands, particularly in moist forest, is a common concern among many public groups. An Alternative [B] was developed to determine if reducing the impact to old forest stands would reduce the effectiveness

of the project to a great degree. Project design criteria (PDC) were developed to reduce or eliminate impacts to sensitive resources (Appendix A). These apply to both alternatives." (EA p. 5)

"The Forest Service proposes the following activities....Miles and acres are approximate.
*2,195 acres of commercial timber harvest using variable density and intermediate silvicultural treatments
*2,315 acres of non-commercial thinning
*2,770 acres of landscape prescribed fire
*6 miles of temporary road construction"
(EA p. 5)

Re: Alternative B:

"Alternative B was proposed to exclude commercial harvest in all old forest stands to examine the differences in effects to various resources. Non-commercial thinning and burning would still take place....Alternative B has the same proposed activities, but on fewer acres. Potential commercial units in about 800 acres of old forest in Alternative A would not be treated [managed] under Alternative B. Additional acres were excluded where logging would not be feasible due to this change, bringing the total difference between alternatives to 850 acres. The rest of the proposed units would be treated the same as described for Alternative A...." (EA pp. 5-6)

"Commercial harvest is proposed on 1,345 acres and non-commercial thinning is proposed on 2, 315 acres, the same as Alternative A. There is some non-commercial thinning in old forest. Landscape prescribed burning would remain the same at 2,770 acres....Major differences between alternatives are as follows:
*Acres of commercial harvest would be approximately 40 percent less, and commercial timber volume would be about 34 percent less than that proposed in Alternative A.
*Acres of cable logging on steep slopes would be approximately 50 percent less compared to Alternative A. Cutting on steep slopes would be reduced to 175 acres, which in turn, would reduce potential effects to soil productivity from compaction.
*With fewer commercial harvest acres, the need for temporary road also declines about 30 percent to approximately 4.3 miles...There would be fewer existing roads utilized, less road maintenance, and less need for danger tree removal adjacent to haul routes.
*The overall difference in acres managed is 10 percent less than is proposed in Alternative A. This is primarily because the amount of non-commercial thinning and landscape prescribed burning affects many acres proportionally, and it is the same for both alternatives." (EA p. 6)

The High Buck Environmental Assessment also includes further detailed descriptions of the selected Alternative A and B. (See EA pages 6-8.) The Draft Decision Notice does not describe the specific management actions proposed for the High Buck project area under Alternative A or B and how Alternative A was decided to "provide the most improvement to areas outside the desired range of variation and the best outcome for future fire effects and suppression safety" over Alternative B, given that the two alternatives are very similar to each other and the EA analysis repeatedly finds advantages of Alternative B over Alternative A. We saw no disclosure in the EA or the Draft Decision Notice of the Environmentally Preferred alternative.

Location

The High Buck project area encompasses approximately 10,990 acres, located about 10 air miles northwest of Elgin, Oregon in Umatilla and Union Counties and is located on the Walla Walla Ranger District of the Umatilla National Forest. The northern boundary is the North Fork Umatilla Wilderness Area and the eastern boundary is the Tollgate Highway (Oregon State Highway 204). Primary access to the area is the Tollgate highway and Forest Road 3100, Summit Road.

Appellant's Interests

Blue Mountains Biodiversity Project (BMBP) has a specific interest in this decision, which has been expressed through participation throughout the NEPA process (although the public comment period on the EA of 30 days was omitted by the Forest Service). BMBP supporters visit much of the affected area for activities such as hiking; camping; wild mushroom and berry gathering; fishing; relaxing; bird, wildlife, and wild flower viewing; nature photography; hunting; and more. The value of the activities engaged in by BMBP volunteers, supporters, and staff would be damaged by the implementation of this project.

BMBP is a non-profit organization that works to protect Eastern Oregon National Forests. Staff, volunteers, and supporters of BMBP live in various communities surrounding the Umatilla National Forest and use and enjoy the Forest extensively for camping; hiking; drinking water; hunting; fishing; general aesthetic enjoyment; gatherings; viewing flora and fauna; gathering forest products; and other purposes, such as bird watching. The Director of Blue Mountains Biodiversity Project, Karen Coulter, lives within about a quarter of a mile from the southwest end of the Umatilla National Forest, the Heppner Ranger District. Karen has recreated in and used the Umatilla National Forest since 1991 for horseback riding; wildlife observation; Nature photography; Wilderness hiking and associated camping; teaching volunteers about ecological processes, wildlife, and plants; giving a winter tracking workshop; firewood and pole gathering by permit; drinking water; and gathering of edible and medicinal plants.

Request for meeting

BMBP requests a meeting with the Forest Service to discuss matters in this objection and seek resolution of concerns through negotiation before the Umatilla Forest Service makes a final decision on the High Buck Vegetation Management Project (aka the "High Buck project".)

Specific issues addressed in this objection

NEPA (National Environmental Policy Act) violations, including: failure to provide a public comment period for the High Buck Environmental Assessment; failure to analyze a No Action alternative; proposing actions inconsistent with achieving the stated purpose and need for the project; failure to provide an adequate range of alternatives; neglecting to analyze standard issues usually analyzed in depth in Environmental Assessments, including key issues we identified as such for analysis in our scoping comments; failure to adequately analyze direct, indirect, and cumulative impacts of the project; failure to disclose scientific controversy; and inaccurate use of the science.

Violations of the National Forest Management Act (NFMA) and the Umatilla National Forest Plan, include failure to provide for population viability for multiple Management Indicator species and other wildlife species and violations of the Umatilla National Forest Plan.

Potential violations of the Umatilla National Forest Plan include violations of management area guidance and Forest Plan standards, including violations of Management Areas guidance for Wildlife Connectivity Corridors, Developed recreation, and visual corridors, and of Forest Plan standards for scenic values and detrimental impacts to soils and to associated invasive plant introduction and dispersal prevention.

Endangered Species Act violations include potentially contributing to a trend toward federal uplisting for the following species: Threatened-listed Gray wolf; Threatened-listed Canada lynx; Sensitive Pacific fisher; Candidate for up-listing Sensitive wolverine; Sensitive Columbia Spotted frog; Threatened-listed fish species: Snake River Basin Steelhead trout, Middle Columbia Basin Steelhead trout, Bull trout, Snake River Spring/Summer Chinook salmon and their Designated

Critical Habitat, and Essential Fish Habitat for salmon; Sensitive Redband trout; and various Sensitive aquatic species and aquatic Management Indicator Species not analyzed in the EA; and Sensitive-listed plants known to be or suspected to be within the project area.

Clean Water Act violations include failure to demonstrate that the proposed actions will not further impair or retard water quality recovery for the Grande Ronde River and the Umatilla River, the latter of which has .5 miles of Essential Fish Habitat within the High Buck project area (EA p. 75), and for major creeks occupied by Threatened-listed or Sensitive fish species for spawning or rearing habitat, as well as their tributary streams.

We also express concerns regarding "temporary" road construction and closed road re-opening, and project contributions to detrimental regional and global climate change.

BMBP objects to the High Buck Project for the following reasons:

I. The High Buck project violates the National Environmental Policy Act

The High Buck project violates the National Environmental Policy Act in the following ways: failure to provide a 30 day public comment period for the High Buck Environmental Assessment (EA); failure to analyze a No Action alternative as a viable alternative and to analyze a No Action alternative in depth to establish a current condition baseline by which to judge the action alternatives; inconsistency with the stated "purpose and need" of the project; failure to provide an adequate range of alternatives; failure to analyze the effects of standard issues for Forest Service analysis, including issues we recommended for in-depth analysis as key issues in our scoping comments; failure to adequately analyze direct, indirect, and cumulative impacts of the project; failure to take the requisite "hard look" at project impacts required by NEPA; failure to disclose scientific controversy; and inaccurate use of the science.

Failure to Provide a 30 day public comment period for the Environmental Assessment prior to a Draft Decision and 45 day objection period

Our scoping comments fully explain this objection regarding no public comment period for the EA:

We are concerned by the distorted NEPA process of only allowing public comments on the Notice of Proposed Action (usually the Scoping notice for comments) and not on the Environmental Assessment, the only document proposed that would disclose more specific information about the project area values at stake and that would include detailed analysis of potential environmental effects of the proposed action and any other alternatives. This is quite backwards and contrary to the intent of NEPA in that the intent of requiring detailed analysis is to allow for informed public comment to guide the Forest Service in choosing an alternative and making their decision. The Forest Service provides no rationale for this novel process in the Notice of Proposed Action.

Without a draft Environmental Assessment (EA) with a public comment period before the Draft Decision, the Forest Service is not taking public comments informed by detailed analysis in the EA into consideration. This is a violation of NEPA. Scoping comments are separate from a required comment period for EAs and Environmental Impact Statements. It's impossible for the public to refine the proposed action to protect resources (life sources) or other interests, such as recreational uses, without having detailed analysis as to potential effects to resources and other issues of concern.

See our further comments on this issue that are written by our staff attorney, Cooper Rodgers. We ask the Forest Service to withdraw the Notice of Proposed Action, cancel the associated comment period, and issue a full Environmental Impact Statement for this project with a 45 day public comment period and normal NEPA process or else cancel this proposed High Buck timber sale (aka "Vegetation Management Project") entirely, which is our preference. (Scoping comments, p. 1, par.s 1, 2, and 3)

There is no analysis in the NPA of potential environmental impacts to any of the values mentioned except for very biased and unsubstantiated assurances based on no presented evidence or detailed analysis in Table 5. So public comments on the NPA will not be fully informed to guide Forest Service selection of an adequate range of alternatives to address public concerns, nor to identify key issues for analysis in the EA. The Forest Service is supposed to make its final decision and select an action alternative from an adequate range of alternatives based on informed public comments that identified key issues and potential alternatives and public comments based on detailed environmental impacts analysis in the EA or EIS. (Scoping comments, p. 3, par. 2)

We are also concerned by everything being omitted in this Notice of Proposed Action when this is the only (scanty) information made available for comment. Key issues for detailed analysis that needs to be made available for public comment include the following: potential detrimental soil impacts; project contributions to climate change effects; implications of extreme climate change for forest carbon storage and sequestration and for needing protection of well- connected intact wildlife habitat; potential impacts to Threatened-listed fish species; potential effects to Management Indicator species and to Sensitive wildlife species; effects to Sensitive and rare plants; effects to forest moisture retention from commercial logging of moist mixed conifer forest; effects to keystone and rare predators such as Pacific fisher, Canada lynx, Gray wolf, American marten, and wolverine; hydrologic effects of logging and roading to project area streams and downstream rivers; effects to recreational uses and scenic quality in the project area, etc. (Scoping comments, p. 9, par. 2) Notably, much of this situation has not changed in the Environmental Assessment, despite our specific key issues for detailed analysis identified in our scoping comments. The EA did no analysis as to effects to Pacific fisher, Canada lynx, Gray wolf, and wolverine, though all of these Sensitive, Threatened-listed, and Candidate for Up-listing species could be using the High Buck project area, especially given the adjacent proximity of a Wilderness Area and the high elevation suitability of the project area for Canada lynx and wolverine in particular. The High Buck area has Snowshoe hares, the favorite prey of Canada lynx, and we found what looked like wolf scat along hiking trails and in sale units and heard a wolf howl in the middle of the night from our camp in a High Buck sale unit (three of us heard it.) The High Buck area also has appropriate habitat for Pacific fisher, and Pacific fisher have been documented in the Umatilla National Forest, including in the Fox roadless area and in a possible sighting I had on the Heppner District. There is also inadequate and cursory analysis in the EA on most of the issues we requested for key issue in-depth analysis, including project contributions to climate change effects; implications of extreme climate change for forest carbon storage and sequestration as a cumulative effect with High Buck logging; the need for full protection of wildlife connectivity corridors from logging due to climate change; potential impacts to Threatened-listed fish species (e.g. from outside RHCA buffers and through sedimentation from road stream crossings and intense storm run-off from roads, including haul routes); specific effects to Sensitive and rare plants; effects to forest moisture retention from commercial logging of moist mixed conifer forest; quantified hydrologic effects of logging and roading to project area streams and downstream rivers; and effects to recreational uses and scenic quality.

Resolution

Our scoping comments supporting this objection are quoted and cited above. Additionally, we commented on this issue in response to the EA:

"The Forest Service has failed to cite any specific regulation that would allow them to violate NEPA by not allowing the public to comment on the EA analysis prior to a Draft Decision and objection period, as is required and standard Forest Service procedure. Almost all the analysis in the EA is new information which informs our objections. Therefore the Forest Service is preventing us from submitting comments on the EA that we would otherwise cite to support our objections. So I am including our responses to all this new information. Not giving us 30 days to comment on the Draft EA forces the public into a condensed comment/objection time period. It is unfair to deny us the 30 days to comment on an EA. We then have to both read the EA (and write comments on the EA) and prepare our objection in the 45 day objection period." (comments written on EA p. 2) Reading the EA and writing comments on the EA roughly doubles or triples the work we have to do to file an objection, since we are not citing comments already prepared in advance. As is the case for most of the public, we also have other work we must do during the comment and objection periods. In this case, I was out field surveying proposed timber sales and training new volunteers during our limited field season and could only take a few days to prepare our objection after reading the EA and writing comments on the pages while out in the forest. Combining all of that work in a condensed time frame is even harder for people who are not already working on these issues and have more normative full time jobs. .

To remedy this objection, the Forest Service would have to re-issue High Buck with either a 30 day public comment period on the EA or a 45 day comment period on an Environmental Impact Statement prior to a Draft Decision, with the Draft Decision release being concurrent with the beginning of a 45 day public objection period. This would allow the public to have adequate time to both read the EA and comment and to prepare an objection based on their comments in response to the EA analysis. EA in-depth analysis allows for much better informed public comments to guide agency decision-making and follows NEPA legal requirements.

An Environmental Impact Statement is Needed for the High Buck Project

Our scoping comments address the need for an EIS for the High Buck project:
If this project is still planned to go forward, the Forest Service should prepare a full Environmental Impact Statement with detailed environmental effects analysis that is made available for a 45 day public comment period with normal NEPA process, including a Final EIS addressing public comments on the Draft EIS with a Draft Decision Notice and then an objection period and objection negotiation opportunity. (Scoping comments, p. 13, 2nd to last par.)

The High Buck timber sale "project" should have been analyzed in a full Environmental Impact Statement for several reasons: The High Buck area has high recreational use with a great deal of public interest in the area, including long-term invested interest in forest product gathering, hunting, and other recreational activities, yet this timber sale planning did not include the requisite detailed analysis and sufficient time for the public to read the analysis, comment on the analysis, and prepare objections. An EIS would better remedy the wrong done to the public and the violation of NEPA requirements than an already deficient Environmental Assessment that failed to even provide in-depth analysis on standard key issues for analysis, even when the Forest Service was specifically requested to do so during scoping. The Forest Service already has failed to provide an inadequate range of alternatives in the EA. The Forest Service has already failed to

disclose significant scientific controversy over multiple foundational assumptions in the EA. The Forest Service has already failed to demonstrate that there is no significant impact involved in the High Buck project due to their inadequate analysis on multiple issues and their failure to analyze key issues important to the public (e.g. effects to Gray wolf recovery and project contributions to climate change.) As the EA acknowledges, logging of old growth forest is strongly opposed by many groups representing the public interest, yet the High Buck EA proposed alternative would log old growth forest. That in itself is a significant impact and the subject of scientific controversy, warranting preparation of a full Environmental Impact statement and the requisite 45 day public comment period.

Resolution:

The Forest Service must prepare a full Environmental Impact Statement for the High Buck project and provide a full 45 day public comment period on the EIS prior to any Draft Decision and a 45 day public objection period.

Inconsistency of proposed management actions with the stated purpose and need of the project

The High Buck project is not consistent with all the purpose and need goals as expressed in the Environmental Assessment. The High Buck project included the following statements that constitute the purpose and need for the High Buck project on Environmental Assessment pages 4 and 5:
Notably even the "Purpose and Need for the Project" section has at least one statement that is inconsistent with the purpose and need statements re: the proposed thinning of forest density, targeting of Grand fir to greatly reduce this tree species' abundance, and proposed logging under Alternative A of old growth forest: "The highly productive nature of this geographic area has resulted in an abundance of dense forest and larger trees, with grand fir as the predominant species." (EA p. 4) In other words, as we discovered by field surveying the High Buck project area, the great majority of the area is high elevation, moist mixed conifer forest with many riparian areas that is naturally "highly productive" and has a natural "abundance of dense forest and larger trees, with grand fir as the predominant species." This is the historic condition for the High Buck area based on evidence of big old growth Grand fir and old growth live trees, snags, and logs of other higher moisture-dependent tree species, including Englemann spruce and Subalpine fir. There is nothing significantly or conspicuously unhealthy or unnatural about the conditions in the proposed commercial logging sale units (e.g. density, presence of large trees, and predominance of Grand fir, and relative abundance of Englemann spruce and Subalpine fir, which are also targeted for logging removal) except for the minority of the sale units that consist of clear cut and replanted sickly pine plantations which were attempted to convert a naturally moist mixed conifer forest with a good diversity of tree species into even-aged pine plantations for the timber industry. There is also nothing unusual for such high elevation moist mixed conifer forest for wild fire to have "had little impact within the project area in the past 120 years" (EA p. 4) as this forest type is naturally subject to infrequent high severity (stand replacement) fire due to its relatively high moisture retention from heavy snowpack in the winter. Our comments below explain this further.
*Note that our comments on the EA are in response to new information since the only comment period offered to the public during the Scoping period.
More EA statements as to the purpose and need for the High Buck project, some with our response to this new information in the EA, with EA statements in quotes but not within brackets:
"The overall desired condition for the project is a more diverse mix of tree species [which already exists in the sale units but would be reduced by logging selectively to retain 'early seral' species],

tree densities [which are naturally high], and stand ages [which have been affected by past logging]; a landscape that is resilient to wildland fire and allows for effective fire management [though this area is naturally prone to infrequent (e.g. 100-200+ year fire intervals) of stand replacement fire, so it would be difficult or impossible to force the forest to be more "resilient to wildland fire", a natural disturbance, or to allow "for effective fire management" that would persist in effects long enough to make any difference]; and a sustained yield of wood fiber that helps meet social and economic needs." (EA p. 4, language inside brackets is ours) There is nothing sustainable ecologically, socially, or economically about the current scale, pace, and intensity of Forest Service logging under the agency's so-called "accelerated scale and pace of restoration" across the Blue Mountains National Forests, based on our field surveying the region's proposed and logged timber sales over the last 30 years. The logging rotation has been shortened to 30 years on paper, and less than that in some sales in practice—not enough time for much to grow back since the last timber sale's Forest Service "desired condition". Often the paint-marking of trees to be cut, trees to be retained, and/or sale unit boundary markings are still evident. The average tree size offered in recent timber sales is only about 10 to 11" dbh even though the timber industry lets private land trees grow to an average of at least 16" dbh before logging (as stated by a logger during a Malheur National Forest collaborative field trip.) The intensity of logging across the Blue Mountains National Forests has increased back to near clear-cutting since the Clinton administration era, with very low, unsustainable basal areas.
"There is a need to move the distributions of species composition, forest structural stages, and density closer to or within desired ranges. The purpose of this project is to diversify stand conditions by promoting multi-scale heterogeneity and move the area closer to the desired range of vegetative conditions to increase the resiliency and health of forested stands. Density management activities would help reduce competition-induced moisture stress and improve vigor and resilience of the forest against wide scale fire, drought, climate change, and insect and disease mortality. When compared to reference conditions for forest cover types, grand fir, subalpine fir, and Engelmann spruce are overrepresented, while Douglas-fir, lodgepole pine, and western larch are underrepresented. Compared to reference conditions for forest density, high density class is overrepresented while moderate and low density classes are underrepresented. Forest structural stages Old Forest Multi-Strata and Understory Reinitiation are overrepresented, while Stand Initiation, Stem Exclusion, and Old Forest Single Stratum are underrepresented." (EA p. 4)

Some of our comments (in quotes) on this new information in the EA specifying Forest Service foundational assumptions guiding their management plans:
"This Purpose and Need reflects arguments used by the Forest Service for hot and warm dry, lower elevation, Ponderosa pine-dominant forest, which are inapplicable to the High Buck forest area, which is mixed conifer forest that retains great moisture levels, has little competition stress, and is subject naturally to infrequent stand replacement fire. There is nothing unusual about little fire for 120 years here. There is a Forest Plan guideline to use historic range of variation for management guidance (based on a baseline of pre-European colonization conditions) but none promoting an arbitrary "desired range" chosen by the Forest Service and/or the timber industry. This is not in keeping with the Forest Plan guidance to allow for forest growth and development based on natural levels of productivity and to retain and restore large trees and old growth structure. The High Buck sale units are mostly moist, healthy, and naturally productive, as well as highly diverse in plant and tree species (see our sample photos)—meeting the habitat needs of Management Indicator Species (MIS) and rare or declining species—as they are now. Naturally moist forests are more important than ever to retain in their natural condition, as they provide refugia for wildlife and plant diversity in the face of increased drought and climate change forcing wildlife and plant species to migrate to higher elevation, moister, more suitable habitat. The Purpose and Need statement misrepresents the current natural state and healthy condition of the High Buck forest area, making the proposed management inconsistent with actually achieving

the Purpose and Need." (Comments written on the High Buck EA page 4, submitted with this objection)

Another comment written on EA p. 4 regarding the "Vegetation" Purpose and Need quoted above from the EA:

"This is absurd. This is clearly historically (and currently) old growth Grand fir-dominant with old growth Englemann spruce and Subalpine fir. This is the historic and natural forest type for this area. How can the Forest Service claim that Subalpine fir (which is relatively rare) and Englemann spruce (which is often old growth and rare outside of very moist conditions) are over represented?" (Comment on EA p. 4)

Further EA Purpose and Need statements for "Vegetation":

"Site visits to the project area by forest health specialists noted overly dense stands and off-site ponderosa pine exhibiting poor growth and damage from biotic and abiotic agents....Associated conditions are the presence of western larch dwarf mistletoe, armillaria root disease, Indian paint fungus, mountain pine beetle, and balsam woolly adelgid." (EA p. 4)

Our comments:

"These are all natural disturbance agents." (comment written on EA p. 4) These natural disturbance agents naturally exist in healthy forests and are often over-blown in their significance by the Forest Service to justify logging. Logging is known to spread root disease. There is science acknowledging the futility of trying to stop Mountain pine beetle infestations by logging. Mistletoe is also known to be spread by logging. Indian paint fungus is largely inconsequential to the stand as a whole and creates good interior tree cavities for wildlife denning and roosting. However we have no objection to the Forest Service diversifying existing pine plantations, which are relatively sterile biologically and subject to fast-moving insect epidemics such as Pine butterfly and Pine bark beetle. We are especially opposed to the creation and maintenance of Ponderosa pine plantations within natural moist mixed conifer forest with greater tree species diversity. We are open to logging out the Ponderosa pine up to 15" dbh (to increase tree species diversity by letting other species grow into the site, while preserving all large trees and allowing for more future large tree structure) when the plantations are clearly mis-sited in the midst of higher elevation, historic moist mixed conifer.

"The Terrestrial Condition Assessment...gauges ecological integrity of land types by identifying restoration opportunities on a coarser scale based on effects of current stressors and previous disturbance agents...The High Buck project area is currently showing a "very poor" TCA hazard rating across the entirety of the project area, indicating this area as a high priority for restoration." (EA p. 4, emphasis through underlining ours)

First, logging is not restoration, as it causes unnatural impacts and usually leaves the forest in a degraded ecological condition. Either this is inaccurate use of the science (Cleland et al. 2017), a single study, or the coarse scale of assessment and inclusion of previous disturbance agents limits this study's applicability to the High Buck project area. Obviously this study is not specific to the project area, as the High Buck area overall (with the exception of the few off-site Ponderosa pine plantations) is obviously green, healthy, lush, productive, and (to us and the many others visiting the forest as recreationists), exceptionally beautiful and diverse in trees and plants. See our photograph samples and survey sheet from field surveying the commercial logging sale units.

EA statements regarding the "Fire and Fuels" purpose and need for the project:

"There is a need to restore fuels and vegetation structure and function to Fire Regimes I, II, and III. There is also a need to reduce fuel loading [forest biomass] in strategic locations....Fuel characteristics in the project planning area are departed from the natural fire regime conditions for the area...." (EA p. 4)

Our response to new information in the EA:

This is naturally infrequent stand replacement fire forest type based on the high elevation, heavy winter snow pack, and higher moisture retention with ash soils prevalent. At this elevation, this far north in the Umatilla NF, there is much evidence of historic stand replacement forest fires, and

these are returning to the Umatilla in SE Washington under the extreme climate change-driven drought this year. This fire return is probably due naturally, as human wild fire suppression is more successful in wetter, cooler years, and the forests in the northern Umatilla in some areas (like High Buck) haven't experienced wild fires in more than 100 years. This statement in the EA also fails to disclose scientific controversy over the accuracy and applicability of the Fire Regime and Condition Class methodology being used by the Forest Service to justify logging to (theoretically) reduce fire risk. Our scoping comments also cover these issues.
EA statements re: the "Wildlife Habitat" purpose and need:
"There is a need to diversify forest vegetation for elk and other big game species, while also retaining large trees and snags for old forest and snag dependent species. The overabundance of dense forest stands indicates that the forest has closed in and wildlife diversity has declined. Many wildlife species would benefit from forest management to increase grasses, forbs, and shrubs...." (EA p. 5)
Our comments in response to the more detailed information in the EA:
"Old forest and snag-dependent wildlife species don't need just large trees and snags, but also high canopy closure and no large openings, as with the MIS Pileated woodpecker and Pacific marten, as well as Northern goshawk. Such great elk habitat, as it currently exists in High Buck, does not need to be logged to benefit elk. Look at the cover photo of this EA. There is already a suitable mosaic of close proximity forage and cover throughout the sale area. Elk prefer and use high density forest with nearby meadow forage. They need security and thermal cover. The EA reiterates the 'edge species equals greater biodiversity' myth. In fact, edge species are the most common species in the already over-logged Forests across the region and interior forest species are mostly declining. This is inaccurate use of the science." (Comments on the EA with some minor corrections, on EA p. 5)

The need for action should be based on current habitat conditions within the project area, which we field-surveyed and documented in our survey sheets, incorporating our field survey sheets and photographs of conditions on the ground as part of our objection.

Examples of our extensive Scoping comments on pages 4-7 on the inconsistency of proposed management actions with the stated purpose and need for the High Buck project:

Re: Purpose and Need for Action:

Re: Forest Vegetation: The Forest Service's use of "Range of Variation" is suspect, as this does not refer necessarily to an historic range of variation, which is supposed to be based on comparison to pre-European colonization conditions (and thus conditions prior to commercial logging, roading, and other non-indigenous management.) The methodology basis for the presumed "Range of Variation" is not disclosed in the Notice of Proposed Action.

For moist mixed conifer forest, Grand fir, Englemann's spruce, and Subalpine fir are likely <u>not</u> over-represented. The presence of Subalpine fir indicates very high elevations and Subalpine fir accordingly has a very narrow range and would not persist in lower elevation, drier conditions. Grand fir and Englemann's spruce are naturally late seral LOS or old growth climax species for moist mixed conifer forest. It is also unlikely that Old Forest Multi-Strata is over-represented in either the moist mixed conifer forest type or the high elevation Subalpine fir or Lodgepole pine forest type, which the Forest Service often calls "cold/dry". Understory re-initiation is often a common structural stage where there are extensive stand replacement wild fires or, as in the case of the Umatilla NF, there is a long-term Forest Service habit of clearcutting across the landscape. Some of the claimed "departures" in structure are human caused through logging, not wild fire

suppression. High density forest is also not likely over-represented in higher elevation and moist mixed conifer forest types as they are naturally prone to infrequent fire and in the case of moist mixed conifer, are naturally higher in productivity, with greater precipitation and moisture retention.

The Forest Service can always claim that some structural stage is over- or under-represented but the reality is that forest structural stages naturally fluctuate in any given area over long periods of time, based on forest succession, climate changes, moisture regimes, natural disturbance occurrence, etc. There is no static "Range of Variation" for forest structural stages across the landscape. This is inaccurate use of the science. Further, the Historical Range of Variability guidance under the Eastside Screens is only meant to be rough guidance for forest management. HRV does not override other legal obligations such as Forest Plan requirements, NFMA, NEPA, the Clean Water Act, and the Endangered Species Act.

It's telling that the density levels and structural stages desired by the Forest Service are those that they would create in the High Buck project area through the proposed action timber sale management. Thus the proposed action is driving and distorting the purpose and need given for this project. The "Range of Variation" is being used to represent the Forest Service/timber industry desire to convert the moist mixed conifer forest to Douglas fir/Western larch plantations and areas of Lodgepole pine for timber production and greatly reduce tree species not preferred by the timber industry, including Grand fir, Englemann spruce, and Subalpine fir.

However, these three tree species have important roles to play in the moist mixed conifer and high elevation/heavy snowpack forest type ecosystems. Grand fir provides important frequent contributions to soil-nutrient cycling and soil carbon storage through faster decaying of snags and logs and provides critical habitat niches for large cavity or platform-dependent species, such as for Pacific fisher denning and Great Gray owl nesting. Pileated woodpecker and Black bears depend on the abundance of soft fir snags and logs for foraging for insects—particularly Grand fir. Englemann spruce can occupy very wet riparian sites and contribute large down logs that are more persistent over time for creating pools in streams for fish species and other aquatic life. Subalpine fir occupies the highest, coldest forest type up to the tree line, where many other tree species don't flourish, contributing needed cover and structure for high elevation species such as wolverine. All these benefits and roles of different tree species in intricately woven ecosystem functions are apparently of no consequence to the District staff for this area—as well as for the Upper Touchet timber sale area.

The range of so-called "key forest health issues"—Indian paint fungus, mistletoe, root disease, Mountain pine bark beetle, etc.—are natural disturbances that can be found in almost any similarly-sited forest area. These are all naturally occurring pathogens or insects. This situation does not justify logging, especially as logging can also spread and increase pathogens such as root rot and mistletoe. Prescribed burning often seems to increase the incidence of pine bark beetles. This illustrates the failure of Forest Service staff to disclose and use the full range of best available science and accurately represent the science.

*Go ahead and remove the sickly off-site Ponderosa pine, as long as this is done without violating the Eastside Screens, PACFISH/INFISH, or other Forest Plan standards and guidelines and other environmental protection laws and Forest Plan standards and guidelines. Leave the mature and LOS or old growth stands of native forest alone. Younger moist mixed conifer stands are also naturally denser and should be retained. We are opposed to overstory removal and creation of openings (mini-clearcuts) except in off-site Ponderosa pine plantations—but any overstory

removal or opening creation should be only from removing the Ponderosa pine, not other tree species. The whole point is to diversify the pine plantations and bring them back to a natural forest state for the site. We are opposed to tree species conversion to timber industry/Forest Service "desired" tree species and creation and maintenance of plantations.

Re: "Fuels" (Biomass): The Forest Service fails to disclose that there is significant scientific controversy over the use of Fire Regime/Condition Class assumptions and modeling. The Forest Service also continues not to use the full range of best available science, which questions the emphasis on "fuels". Wildfire by its nature is irregular in timing and infrequent for moist mixed conifer. See our other comments on the Forest Service assumptions about wild fire regimes and prioritizing "fuels" reduction above.

Re: Wildlife: There are conflicting purpose and need statements for the High Buck area: Logging, roading, and burning would degrade old growth multi-strata wildlife habitat, elk cover and security, and the maintenance of connected landscape patches (wildlife connectivity). Yet the Purpose and Need section on wildlife does not mention these conflicts. The needs expressed for wildlife are as follows:

"There is a need to maintain connected landscape patches to provide forage, cover and security for wildlife. There is a need to protect or enhance special habitats, promote large tree resiliency and improve elk security and forage conditions. The purpose of the project is to maintain a resilient landscape that will continue to provide wildlife habitat." (NPA p. 5)

Note that the Forest Service does not present any evidence that the existing forest landscape is not already resilient. Further, the agency does not specify what level of wildlife habitat would be provided after timber sale implementation compared to the abundance of wildlife habitat available now. The Forest Service also does not specify which wildlife species' habitat would be sacrificed and the cumulative effects to these species' viability—in the project area, the watershed, or on the Forest. Clearly, <u>not</u> logging, roading and burning would better maintain wildlife connectivity badly needed for climate change-caused migrations to more suitable remaining habitat and greater cover and security for wildlife, including for elk; better protection of special habitats and better promotion of large tree abundance and availability into the future, as many mature trees that could otherwise become large trees would be removed.

Re: Forest Products: The Forest Service is not supposed to prioritize logging and economic return over other multiple uses of the Forest and other Forest Plan priorities, yet this Notice of Proposed Action does just that:

"There is a need to provide timber and other forest products. <u>The purpose of the project is to contribute to a steady flow of timber and forest product to assist in meeting social and economic needs of local and regional communities.</u>" (NPA p. 5, underlining emphasis ours.)

By defining contributing "a steady flow of timber and forest product" as "(t)he purpose of the project", other alternatives for achieving the many other specified needs of the project are automatically rejected, prior to any public comment. This is in line with each "need" statement containing a "purpose" that is so narrowly defined as to preclude other forms of management than the proposed action and to preclude a no action alternative. Obvious conflicts between the purpose and need statements and the proposed action alternative are ignored. For instance, under "Forest Vegetation", the need and purpose are both defined so narrowly as to preclude an alternative interpretation of the need and purpose statements:

"There is a need to move the distributions of species composition, forest structural stages, and density classes closer to or within desired ranges. The purpose of this project is to diversify stand conditions and move the area closer to the desired range of conditions in order to increase the resiliency, heterogeneity, and health of forested stands." (NPA p. 5)

Who determines the "desired" range of conditions? Clearly not the public, but the Forest Service, presumably out of consideration for the timber industry and current federal government orders to double or triple timber sale volumes on the National Forests. Yet planned commercial logging of many mature trees, with intensive biomass reduction, including existing down wood, and conversion to fewer tree species and more open, drier stands would decrease forest resiliency, heterogeneity, and the health of forest stands. The Forest Service fails to disclose or analyze the well documented impacts of logging mature and overstory trees, roading, and intensive removal of down wood to forest resiliency, heterogeneity, and forest health in the NPA.

The Forest Service presents no evidence to support their claims that there are departures from the natural fire regime, tree density, tree species composition and structural stages (everything they want to change through logging and burning.) The Forest Service also presents no evidence to support their contention that because of these "departures" the project area is susceptible to disturbance agents at higher rates of "uncharacteristic" intensity or severity. There is no reason to believe the Forest Service contentions with no detailed supporting analysis or science backing for these claims. Adding to our skepticism, the Purpose and Need explanation is designed to support the proposed action and preclude any other alternative.

The NPA Purpose and Need rationale fails to consider that current extreme climate change (aka global warming) by definition poses potential uncharacteristic levels and severity of insects, disease, wildfires, and drought. Climate change effects are not reduced or stopped by more logging of mature trees and more prescribed burning but are aggravated by such management. Commercial logging of mature trees and associated hazard tree felling and burning removes considerable amounts of existing carbon sequestration (from live trees) and carbon storage from live trees, snags and logs that would otherwise help reduce climate change effects. Commercial logging, road work, and various types of biomass reduction with burning would emit Carbon dioxide, a Greenhouse gas that local and state governments are trying to reduce in emissions across the country. There is no mention in the Notice of Proposed Action of climate change, even though it should be a key issue for detailed analysis as the biggest global crisis of our time, exceeding the effects and longevity of the Covid-19 Corona virus pandemic. Climate change cannot be ignored.

Our additional comments on inconsistency between the stated purpose and need and proposed management actions can be found written on EA pages as quoted above.

Resolution

BMBP has commented on its objection on the inconsistency of proposed management actions with the Purpose and Need for the Umatilla National Forest's High Buck project in comments (see quotes and citations above.) Included in this objection is our finding that the Purpose and Need statements for the project are overly narrow and that the predetermined proposed action is driving the specificity of the Purpose and Need statements, which are violations of NEPA. Remedies we propose for this objection are both based on our assessment of conditions in National Forests across the Blue Mountains National Forests and related Forest Service logging

trends and on conditions in the High Buck project area in particular. Some of our comments on this objection include proposed remedies, which are presented in quotes with comment page citations.

*Many sale units should be dropped or reduced in size due to access limitations or potential negative ecological impacts causing loss of forest resiliency, given the ecologically unsustainable pace and scale of current Forest Service logging in Eastern Oregon, the cumulative effects to wildlife, fish, carbon sequestration, green forest stand survival, and water availability from extreme climate change, and for wildlife and fish, the well documented Sixth Mass Extinction in progress.

We request that, to be consistent with the purpose and need for the project, conditions on the ground, and restoration goals, that the Forest Service:

*Reduce the scale and intensity of planned logging overall by dropping logging of mature trees 15" dbh to 21" dbh that would otherwise be next in line to become future large trees and restore large trees to the landscape.

*Reduce the logging impacts to forest resiliency and structure and to maintain heterogeneous conditions and greater biodiversity. Decrease the number of commercial logging sale units by dropping commercial logging in moist mixed conifer; any cold dry Lodgepole pine forest that provides habitat for elk, lynx, or American Three-toed woodpecker; and in all old growth and Late and Old Structure forest. See our survey sheets for guidance as to the best wildlife habitat in sale units that should be dropped from commercial logging and roading, according to our characterization of conditions and our recommendations to drop or modify sale units.

* We are largely not opposed to the Forest Service reducing smaller tree density up to 9" dbh or a maximum of 14" dbh in even-aged Ponderosa pine plantations and thickets (see our survey sheets) but we want the Forest Service to stay out of all mixed conifer LOS and old growth habitat except for some noncommercial-size thinning up to 6-9" dbh.

* Increase basal area retention in remaining sale units and leave more patches of diverse tree species and density within sale units for greater variability across the landscape. We are strongly opposed to converting moist mixed conifer forest to primarily "early seral" species.

*Drop sale units that are most used by wildlife, including species dependent on large trees and large or abundant snags such as MIS primary cavity excavators, including Pileated woodpecker, and Pacific marten, and for wildlife needing greater levels of security cover, such as Northern goshawk, Rocky Mt. elk, and Mule deer. See our survey sheets under "Species evident" and "Overall Description" and "Subjective evaluation" sections for signs and sightings of wildlife in the commercial logging sale units.

Failure to provide an adequate range of alternatives, including the use of an overly narrow purpose and need to preclude other alternatives and failure to provide a No Action alternative

The High Buck Environmental Assessment has an inadequate range of alternatives.

Our scoping comments supporting this objection:

Such unsubstantiated conclusions and assumptions and glaring omissions in consideration of key issues are reasons why NEPA requires detailed analysis of potential environmental effects and associated public comment for agency consideration. The Forest Service needs to demonstrate the validity of agency arguments with best available science and consideration of scientific controversy. Detailed analysis and informed public comment drives the final choice of an alternative. NEPA does not allow for the Forest Service's proposed action to drive the purpose and need for the project, limit the analysis, and constrict the range of alternatives considered, as is the case with the High Buck Notice of Proposed Action. Here the first stage of the NEPA public process has become the last opportunity for public comment. The scoping stage of NEPA

projects is designed for public comments to identify key issues for detailed analysis in an EA as well as the range of alternatives for the EA, yet this NPA has already excluded a No Action alternative and narrowly defined the issues for analysis, as well as completely excluding standard issues for EA analysis from detailed analysis, including: Range; Invasive plants; Air Quality; Environmental Justice; and Inventoried Roadless Areas, Wilderness/Wilderness Study Areas, Wild and Scenic Rivers, and Areas of Critical Environmental Concern. As far as we know, this is totally unprecedented. (See NPA p. 14) (From Scoping comments on pp. 7-8, last par. through 1st par.)

Alternatives:

NEPA and relevant case law are very clear about a "No Action" alternative being required for Environmental Assessments as well as for Environmental Impact Statements. See our objection for the Upper Touchet sale and our further comments on the High Buck project Environmental Assessment regarding this issue. (Scoping comments, p. 10, par. 6)

Our other comments on an inadequate range of alternatives in the EA in response to new information in the EA can be found written on the following EA pages: regarding there still being no No Action Alternative—on p. 25, left margin, and on p. 74, 2nd comment; and regarding an inadequate range of alternatives in general, p. 19, top mid-text and on p. 60, 2nd comment, last comment, and quote from the EA marked. For example:
"The No Action alternative "consideration" (not offered as an alternative) is very biased by only describing disadvantages to wildlife from wild fire and ignoring the tremendous benefits to wildlife and plant diversity of protecting old forest from logging and, re: moist old forest, from burning." (comment on EA p. 25)
"The requirement of a No Action alternative in the EA is not being met, with the consequence that No Action is not presented as a viable alternative, although that would be our choice for an alternative instead of A or B. Further, having No Action only given 'consideration' is not a legally allowed choice and results in a lack of detailed analysis of the benefits versus negative effects of a No Action alternative versus the action alternatives, which is why NEPA requires a No Action alternative to stimulate unbiased analysis of the effects of none of the proposed management versus the effects of the action alternatives. This is an astonishing and clear violation of NEPA." (comments written on EA p. 74)
"These are relatively insignificant differences between Alt. A and Alt. B in meeting the Purpose and Need but Alt. B is far more protective of wildlife, moisture retention, and carbon sequestration, as well as for plant biodiversity (where it applies)." (comment written on EA p. 19)
EA quote substantiating our argument that there is an inadequate range of alternatives offered:
"The effects of proposed harvest, thinning and prescribed burning are the same for Alternative B as Alternative A, but with fewer acres proportionately with respect to the acres proposed between Alternatives. This makes the difference in effects between Alternatives very slight." (EA p. 60)
Our comments in response to the EA:
"This EA admission indicates there is an inadequate range of alternatives in response to public comments." (comment written on EA p. 60) For instance, we are asking the Forest Service to drop all steep slope logging and sale units with existing high detrimental soil impacts, yet in discussing the slight difference between Alternatives A and B regarding soil stability on EA p. 60, there is an inadequate range of alternatives to fully address our concerns:
"Alternative B has 110 fewer acres of ground-based activity overlap on steep slopes compared to Alternative A. Activity units that overlap steep slopes in Alternative B, are, for the most part, the same as Alternative A but with smaller spatial extent. Steep slope overlap of ground-based units is approximately six percent of the total ground-based activity unit acres, which makes the difference in effect between Alternatives slight." (EA, p. 60)

Many of our scoping and EA comments indicate potential reasonable alternatives that have not been adopted.

Resolution

BMBP has commented on its objection to the Umatilla National Forest's inadequate range of alternatives in the High Buck Environmental Impact Statement and requested a broader range of alternatives in our comments. See our Scoping and EA comments quoted and cited above.

To remedy this problem, the Forest Service would either have to reissue a new Environmental Impact Statement offering a full range of alternatives as required by NEPA for public review and comment, or better meet our substantive concerns expressed in related comments as follows:

*Drop all commercial size logging in old growth and Late and Old Structure forest habitat.

*Drop any sale units or parts of sale units that have never been logged.

*Reduce the overall scale of commercial size logging (of mature trees over 10"dbh).

*Modify proposed logging intensity to maintain more forest structure for wildlife and soil nutrient cycling.

*Retain mature trees 15 " dbh and greater, regardless of species, to retain needed future large structure, which is at a great deficit in the project area compared to historic conditions. We found big old growth stumps in some of the sale units from past high-grading of large and old trees.

*Change more sale units to only non-commercial-size thinning instead of commercial logging, or to no thinning, throughout the sale unit, especially those sale units with suitable habitat density and canopy closure for Pileated woodpecker; American marten; elk and deer thermal and hiding cover; primary cavity excavators; and Northern goshawk. Pileated woodpecker and Northern goshawk both need a minimum of 40% canopy closure for foraging and 60% canopy closure for nesting, based on Evelyn Bull's studies of Pileated woodpecker habitat use and Greenwald et al.'s literature review of studies of goshawk habitat use. Marten are known to require abundant down and elevated wood for subnivean foraging, large snags with Pileated nest holes for denning, and forest habitat without significant fragmentation or openings.

*Drop logging of suitable or active Pileated woodpecker and American marten habitat, which are indicated on our survey sheets by high old growth mixed conifer counts per acre; large live, snag, and log tree structure; fresh and recent Pileated foraging sign; and for marten, abundant down wood, large snags, and/or the presence of large enough root wad burrows for marten.

*Retain the decision to prohibit commercial-size logging and all heavy equipment use within the RHCA buffers.

*Drop all "temporary" road construction and greatly reduce the re-opening of currently closed roads. Especially don't reconstruct or re-open roads already grown over or roads that were closed for ecological protection reasons, including roads within riparian buffers or that are hydrologically connected to streams.

*See recommendations on our survey sheets, as well as wildlife species sign mentioned, old growth counts, forest type, slope steepness, and no evidence of former logging (under "Never Logged") for specific sale units or parts of sale units we want modified or dropped. We will identify priority "Drop" sale units according to what was discovered in sale units through field surveying and the information recorded on our survey sheets and in our photographs.

Failure to adequately analyze direct, indirect, and cumulative effects

The High Buck Environmental Assessment demonstrates failure to adequately analyze environmental effects of the project throughout the document, including omissions and distortions such as the following addressed in our scoping comments:

The effects of 2,000 sheep grazing in the High Buck project area warrants cumulative effects analysis of the impacts of the proposed timber sale combined with the sheep grazing where the effects overlap in the area. These effects and the analysis need to be disclosed for public comment (like all other EA analysis) prior to a Final EA and Draft Decision Notice. Yet the Forest Service plans to exclude the issue of overlapping sheep grazing impacts from any detailed analysis at all.

Re: the High Ridge study: This is outrageous not to disclose the findings of a national study of the effects of timber harvest on water quality within the planning area that is already completed. Detailed analysis of the effects of planned logging in the High Buck project area should include consideration of the findings of the High Ridge study regarding effects of timber logging on water quality in the High Ridge Evaluation Area. This detailed analysis of the effects of planned logging and the implications of the High Ridge study must be open for public comment. Yet all the Notice of Proposed Action says about the study in regard to effects is that the signs and structures of the study are still present on the landscape. Signs and structures from the study are insignificant compared to the results of the study.

The two sentence section on "Heritage Resources" does not even disclose the names of the indigenous Native Nations that use the Buck Mountain area for traditional foods, medicine gathering, and religious and spiritual sites or how these values and cultural sites would be protected from planned timber sale management actions. There is no mention as to whether Native Nations are being consulted.

Re: the Fish and Wildlife section, it's unbelievable that this only addresses elk and fish species and relegates the rest of wildlife species to: "many other wildlife species, including management indicator species and sensitive wildlife species." (NPA p. 3) Evidently Forest Service staff do not want the public to know what MIS and Sensitive wildlife species are known or suspected to exist within the project area in time for us to mention them by name during the only comment period being offered for this timber sale. We are very concerned by potential negative impacts of the planned timber sale to Threatened-listed Bull trout and Threatened Mid-Columbia Steelhead trout within or adjacent to the timber sale area and to documented Steelhead spawning downstream of the planning area. Why are Threatened-listed Gray wolves not mentioned for potential negative effects within the project area? We are concerned that they were left out on purpose as a species undesired by the Forest Service even though they are a keystone predator very popular with the majority of the public and even though Gray wolf packs exist on the Umatilla National Forest, potentially close to or within the project area. We are also very concerned by undisclosed potential negative effects to Management Indicator species, including American marten, Pileated woodpecker, Rocky Mountain elk, and Primary cavity excavator woodpecker species. We are concerned by potential negative effects of the timber sale (including from all proposed management actions) to any Sensitive-listed wildlife species in the area, which may include Redband trout; Columbia Spotted frog and potentially other frog species; any Sensitive salamanders in the area; potential Sensitive-listed mussel species; any Sensitive insects, including butterfly species and bees; Pacific fisher; wolverine; Lewis' woodpecker; and any other Sensitive species existing in or suspected to be in the project area. Our concern is heightened by the complete lack of disclosure as to which MIS and Sensitive species are within or suspected to be in the project area. We are left to guess what TES and MIS species use the project area for habitat and whether we left out a species that might be in the area from our list above.

There is no analysis in the NPA of potential environmental impacts to any of the values mentioned except for very biased and unsubstantiated assurances based on no presented evidence or detailed analysis in Table 5. So public comments on the NPA will not be fully informed to guide Forest Service selection of an adequate range of alternatives to address public concerns, nor to identify key issues for analysis in the EA. The Forest Service is supposed to make its final decision and select an action alternative from an adequate range of alternatives based on informed public comments that identified key issues and potential alternatives and public comments based on detailed environmental impacts analysis in the EA or EIS. (Scoping comments from above paragraphs, p. 2-3)

We are also concerned by everything being omitted in this Notice of Proposed Action when this is the only (scanty) information made available for comment. Key issues for detailed analysis that needs to be made available for public comment include the following: potential detrimental soil impacts; project contributions to climate change effects; implications of extreme climate change for forest carbon storage and sequestration and for needing protection of well- connected intact wildlife habitat; potential impacts to Threatened-listed fish species; potential effects to Management Indicator species and to Sensitive wildlife species; effects to Sensitive and rare plants; effects to forest moisture retention from commercial logging of moist mixed conifer forest; effects to keystone and rare predators such as Pacific fisher, Canada lynx, Gray wolf, American marten, and wolverine; hydrologic effects of logging and roading to project area streams and downstream rivers; effects to recreational uses and scenic quality in the project area, etc. (Scoping comments, p. 9, par. 2)

The EA failed to analyze some of these key issues for analysis at all, including effects to Pacific fisher, Canada lynx, Gray wolf, and wolverine, despite these being Sensitive, Threatened, and Candidate for up-listing species. Other key issues for analysis suggested in our scoping comments were inadequately analyzed and/or avoiding critical aspects of analysis, such as for project contributions to climate change effects; implications of extreme climate change for forest carbon storage and sequestration as a cumulative effect combined with project impacts to climate change; the cumulative effects of the High Buck project with climate change causing existing wildlife habitat to be unsuitable for various species, increasing the need for wildlife connectivity corridors fully protected from logging and roading impacts; specific hydrologic effects of logging and roading to specific streams and downstream rivers; and long-term, lasting effects from logging and roading to recreational uses and scenic quality.

More scoping comments regarding inadequate analysis in the "Notice of Proposed Action":

Effects and Issues to Consider:

Table 5 does not substitute for full disclosure of potential impacts and detailed analysis.

Summary of Preliminary Issues:

Re: Recreation: Recreational areas such as hiking trails and trailheads are not limited to "short term inconvenience for recreation users in the area during operations". (NPA p. 12) Commercial logging would leave long-term degradation of the now relatively natural appearing forest that would be apparent for decades. There would be greatly reduced scenic quality with greatly altered appearance and evidence of industrial extraction along the trails, at least one trailhead, and dispersed campsites along the boundary of the North Fork Umatilla Wilderness Area. Degraded recreational aesthetics and diminished scenic quality would include views of

recent logging sites with stumps, fresh skid trails, landings, and clearcut openings, as well as sale unit paint markings on trees, re-opened closed roads or newly constructed "temporary" road segments, and jarring conversion of green, shady, diverse mature or old growth mixed conifer forest to barren open stands missing many mature trees, snags, and logs, with high levels of ground disturbance, including torn up ground and shredded plants. The forest would never be the same as it was, especially if re-planted with seedlings of only a few tree species. The area would be missing the elements of intact natural forest, including tree species and plant diversity, structural complexity and associated wildlife. It's amazing to me that Forest Service staff can say that the only impacts would be "short term inconvenience...in the area during operations." Surely whoever is writing this knows better and realizes the blatant dishonesty of this claim. The vast majority of recreationists do not come to National Forest recreational areas or for Wilderness Area hiking, hunting and camping to see more logging, or as the NPA puts it disingenuously, "an incremental addition to the existing managed nature of the landscape." What a euphemism for more ecologically destructive logging! Stop logging forest areas obviously valued and used for recreational experiences in wild Nature. (Scoping comments, p. 10, par. 7, last par., and into p. 11, 1st par.)

There is no disclosure in the NPA of which Sensitive and invertebrate species are in the project area and at risk to management impacts from the High Buck timber sale. We are concerned by potential impacts to Sensitive Columbia spotted frog; Sensitive Redband trout; any other Sensitive fish species; Pacific lamprey; any Sensitive other frog species or salamanders in the area; any Sensitive mussel species and aquatic macroinvertebrate species and insects such as Sensitive butterfly, dragonfly, or bee species that may be in the area. (Scoping comments, p. 12, par. 2) There is no opportunity for the public to fully know which species are in the project area and at risk from management impacts from the High Buck sale in the "Notice of Proposed Action" scoping information, in order to write informed comments as to those potential impacts.

The EA still did not directly address potential impacts to Redband trout, did not analyze for impacts to Columbia Spotted frog, which is likely to be in the project area, and did not disclose if any of the other species we listed in this scoping comment had suitable habitat in the project area or were known or suspected to be in the area. Typically, the other Blue Mountains National Forests staff at least disclose whether or not Pacific lamprey, other Sensitive fish or mussel species, and any Sensitive listed macro invertebrates have suitable habitat in the project area or are suspected or known to exist in the project area. This was not done for the High Buck EA, so the public has no way of knowing whether those species could exist in the High Buck area and are simply not being disclosed, or whether they are known not to have suitable habitat in the project area and are not suspected to be in the project area.

More scoping comments addressing inadequate analysis in the "Notice of Proposed Action" (NPA) scoping:
Issues dismissed from detailed analysis:

It's outrageous that standard issues of concern usually subject to detailed environmental effects analysis would be arbitrarily dismissed from detailed analysis in the EA. Although not mentioned in the list of issues dismissed from detailed analysis, climate change should be included in the list. See our additional comments on this issue above.

Range: We are concerned that cumulative effects from the partial overlap of the proposed timber sale with a sheep allotment would not be considered in the EA. (Scoping comments, p. 12,

last line through p. 13, 1st and 2nd par.s) This source of cumulative effects with the High Buck project proposed management actions was not analyzed in the EA.

Air quality: Air quality still needs to be assessed for effects in detailed analysis, including for increased pollution from Greenhouse gases increasing climate change effects to the atmosphere. (Scoping comment, p. 13, par. 4) The EA did not provide a carbon dioxide or other Greenhouse gas emissions estimate for the combined sources from the High Buck proposed management despite our specific request for the agency to assess air quality effects in detailed analysis with specific reference to climate change.

Re: the High Ridge study: This is outrageous not to disclose the findings of a national study of the effects of timber harvest on water quality within the planning area that is already completed. Detailed analysis of the effects of planned logging in the High Buck project area should include consideration of the findings of the High Ridge study regarding effects of timber logging on water quality in the High Ridge Evaluation Area. This detailed analysis of the effects of planned logging and the implications of the High Ridge study must be open for public comment. Yet all the Notice of Proposed Action says about the study in regard to effects is that the signs and structures of the study are still present on the landscape. Signs and structures from the study are insignificant compared to the results of the study. (Scoping comments, p. 2, par. 3)

The two sentence section on "Heritage Resources" does not even disclose the names of the indigenous Native Nations that use the Buck Mountain area for traditional foods, medicine gathering, and religious and spiritual sites or how these values and cultural sites would be protected from planned timber sale management actions. There is no mention as to whether Native Nations are being consulted. (Scoping comments, p. 2, par. 4) While the EA included more analysis on this section, this analysis was not made available for public comment.

Notably, the EA did not prepare detailed analysis on the issues they threatened to omit from analysis altogether in the NPA. These issues were given only cursory, inadequate analysis under "Other Resource Disclosures" starting on EA p. 81 for Climate, Roads, and Botany, despite our specific opposition to not analyzing these issues in detail in our scoping comments. The EA still omitted completely analysis of the cumulative effects of the acknowledged partial overlap of the proposed High Buck timber sale with a sheep grazing allotment despite our very specific scoping comment above that expressed our concern about this. Further, the EA still did not disclose the results of the High Ridge logging effects to water quality study within the High Buck project area despite our specific request in Scoping comments to disclose the results of the study. These are astounding violations of NEPA for standard issues for detailed analysis in an EA.

Our comments in response to the new information in the EA on inadequate analysis can be found on the following EA pages of our written comments: direct and indirect effects analysis: EA pp. 22, 24, 76, 77, 81, and 82. Re: cumulative effects: EA pp. 8, 27, 36, 40, 57, 62, 64, 70, 77, 79, and 80. Samples of our comments on inadequate effects analysis in the Environmental Assessment follow:
Re: Direct and Indirect effects:
"NEPA requires detailed analysis of potential effects to avoid, prevent, or sufficiently mitigate negative effects. The absurdly truncated "resource effects disclosures" of only one short paragraph for 'climate' (change) and 'roads' effects do not meet NEPA standards for adequate analysis. The 'climate' disclosure is blatantly biased, failing to recognize that climate change is caused by incremental, relatively small contributions of Greenhouse gases, that incremental deforestation through extensive and intensive logging still represents a cumulative huge loss of

forest carbon sequestration when perpetrated by a national government agency across the country, that atmospheric Greenhouse gas concentrations are not just a 'temporary influence' but can lock in extreme climate changes for as long as 300 years in the case of CO2 emissions, and the forest takes a century or more to grow back to the state of maturity and tree size prior to logging. Thus the Forest Service timber sale program is not consistent with internationally recognized climate change adaptation and mitigation. The Climate Change Effects appendix is biased in the same ways." (comments, EA p. 81)

"The 'Roads' related 'Resource Effects Disclosure' bypasses needed analysis by failing to analyze the effects of re-opening miles of closed roads (some of which may be overgrown) and constructing new 'temporary' roads to: soils, wildlife (disturbance), recreational and scenic values, soil carbon storage, hydrologic flows, sedimentation of streams, fish, etc.

The Botany section of 'Other Resource Effects Disclosures' fails to identify the habitat needs and potential effects to two species of Sensitive fungi and Blue Mountain penstemon or how much project design criteria would protect documented Sensitive plants.

The Invasive Plants section fails to fully identify all the species of invasive plants in the High Buck area, their population size, the success rate for preventing their dispersal, their rate of spread, and critically, whether ground-disturbing activities are planned for within invasive plant populations. We ask that there be no ground-disturbing activities implemented within 100 feet of invasive plant populations. Such analysis and avoidance mitigation is standard on other Forests of the region, such as the Malheur.

Given the cursory nature of the analysis for effects to fish—especially for sedimentation, it is not clear that the High Buck project would not have cumulative negative effects to First Nations fish as food. There is also no certainty that big game and cultural use plants would not be diminished. Stating that there would be no adverse effects does not substitute for analysis. (all comments from paragraphs above make up the entirety of comments written on EA p. 82)

Re: Cumulative Effects analysis:

"There is no description re: how the sources of cumulative effects relate to the value being assessed. For instance, firewood cutting often targets large, old live trees, snags, and logs, degrading old forest structure. Sheep grazing can reduce grasses and shrubs that would otherwise compete with small, dense tree in-growth, which could increase fire risk to old forest. Road maintenance routinely involves felling snags that are considered hazard trees. Yet none of these management-related sources of cumulative effects are analyzed in any depth or even explained to the public as to why they cause cumulative effects." (EA comment on EA p. 27)

"Switching to the Forest scale to justify a viability determination for species is not warranted when there is no analysis in the EA as to the effects of all the management actions to these species across the entire Forest—e.g. many more timber sales, much more prescribed burning, more recreational disturbance, more open roads and access for fur trappers (re: marten), etc. (See the lack of analysis as to Forest scale negative impacts to Pileated woodpecker, American Three-toed woodpecker, and Pacific marten that cumulatively threaten their viability on the Forest on EA p. 36) This is inadequate cumulative effects analysis." (comment on EA p. 36)

"The cumulative effects analysis for recreation and scenery must have been dashed off in a few minutes. There is no description of the effects of 'other recent activities in the High Buck project area' which remain un-named." (comment on EA p. 57)

"There is also no specific use quantification of cumulative effects that would justify a total detrimental soil condition for the overall area of only an additional 'percent or two' or the assumption that the total detrimental soil impacts 'are expected to remain well below Forest Plan limits of 20 percent with application of PDCs' even though other cumulative detrimental soil sources do not have project design criteria to minimize their effects—such as for dispersed camping, off road ATV and motorcycle use, and livestock impacts on shallow soils." (comment written on EA p. 62)

"The cumulative effects analysis in the EA should have considered the longer haul route impacts from extending the use of haul routes from the Thomas Creek project (timber sale) through the implementation of the High Buck sale in the Phillips Creek and Thomas Creek subwatersheds re: sediment loading, increased peak flows, and destabilization of stream channels, as well as for wildlife security (e.g. elk) and aquatic habitat and organisms." (comment on EA p. 70)
"The limited cumulative effects section for fish fails to consider possible cumulative effects for sedimentation, which is not prevented by the area remaining below the EA threshold. Effects to fish from sedimentation as opposed to impacts to stream morphology are not analyzed or quantified in the cumulative effects analysis although 'Existing roads...increase the risk of sedimentation to streams.' (EA p. 60, last par.)" (comments on EA p. 80)

Resolution:

BMBP has commented on its objection to the Umatilla National Forest's failure to adequately analyze direct, indirect, and cumulative effects of the High Buck project on a range of receptors, described above in our comments. See our Scoping and EA comment quotations and citations in the paragraph above and references to inadequate analysis in comments quoted in other sections of this objection.

To resolve this objection, an Environmental Impact Statement needs to be prepared that adequately analyzes direct and indirect effects of the High Buck project, and cumulative effects of the project in combination with past, ongoing, and reasonably foreseeable future actions to NEPA standards, with a 45 day public comment period to enable informed public comment and agency review.

Inaccurate use of the science

There are numerous instances in the High Buck Notice of Proposed Action and EA of analysis not reflecting the full range of best available science or using science inaccurately. Examples of inaccurately using science from our Scoping comments:
The range given of 35-200 years for a mean fire return interval is also unusually broad compared to other estimated mean fire return intervals I've seen, indicating a Forest Service bias toward treating different forest types as if they are all usually subject to infrequent, low severity fire. The Forest Service also fails to explain what other mean fire return intervals exist within the project area, as only 17% of the project area is accounted for as an interval of less than 35 years and only 34% of the area is accounted for in the assumed interval of 35-200 years. Is the remaining 51% of the project area estimated to have a mean fire return interval that is more infrequent than 35-200 years? (Scoping comment on p. 4, 3rd par.)

The range of so-called "key forest health issues"—Indian paint fungus, mistletoe, root disease, Mountain pine bark beetle, etc.—are natural disturbances that can be found in almost any similarly-sited forest area. These are all naturally occurring pathogens or insects. This situation does not justify logging, especially as logging can also spread and increase pathogens such as root rot and mistletoe. Prescribed burning often seems to increase the incidence of pine bark beetles. This illustrates the failure of Forest Service staff to disclose and use the full range of best available science and accurately represent the science. (Scoping comment, p. 5, 6th par.)

Other BMBP comments regarding inaccurate use of the science and failure to use best available science include comments re: inaccurate use of the science on EA pages: 3, 5, 7, 13, 20, 21, 30, 38, 46, and 66. Sample comments on the EA that note inaccurate use of the science follow:
"'Stocking' guidelines are outdated (1994, 1999) as a means of determining ecologically beneficial outcomes. Basal area and stand density are being used to rationalize logging without consideration of new best available science to determine ecologically sound outcomes. Basal area in particular is being used to determine adherence to assumed historical conditions that do not represent current science evaluations of historic high elevation moist mixed conifer stands or young forest growing back from logging the overstory (removing mature and/or large trees.) This is inaccurate use of the science through omission and failure to disclose scientific controversy." (comments written on EA p. 20)
"Actually there's very little Ponderosa pine, Douglas fir, and Western larch because it is mostly not appropriate habitat for them—especially not for Ponderosa pine.

The EA is also ignoring that a considerable body of current science finds that weather and humidity (as with climate change) are far more significant drivers of fire intensity and extent than so-called 'fuel loading.'" (comments on EA p. 46)
"There are a lot of questionable and unjustified assumptions made in the EA analysis on p. 66, 1st full par. under 'Sediment', including that logging and prescribed burning would produce lower short- and long-term sedimentation rates than wildfire (with these unquantified, with no science citations); that logging and burning to theoretically reduce the severity of future wildfires would reduce erosion and sedimentation rates despite the ground disturbance, including on steep slopes, from heavy equipment use; that these reduction effects 'are expected to last for decades', when science shows only a 5-20 year effectiveness period and finds that the likelihood of a fire occurring in that timeframe in the area logged and burned is extremely low, indicating effectiveness of the management; and that the proposed High Buck logging and burning would not result in significant sedimentation and would meet Forest Plan standards for detrimental soil impact limits. These assumptions reflect both inadequate analysis and failure to disclose scientific refutation of these assumptions based on current best available science. For instance, the adequacy of PACFISH/INFISH buffers have also been challenged by scientists. The science used does not fully disclose recent science findings." (comments on EA p. 66)

Resolution

BMBP has commented on its objection to the Umatilla National Forest's inaccurate use of the science in the High Buck project analysis. See our comment citations and quotations in the paragraphs above.

In order for the High Buck project to comply with NEPA, the Forest Service needs to incorporate the requisite best available science and use the science accurately, with professional integrity in analysis in a new EIS available for public comment for the High Buck project, to better and more accurately inform public comments, agency review, and decision-making.

Failure to Disclose Scientific Controversy

The High Buck project violates NEPA by failing to disclose significant scientific controversy. This failure to disclose significant scientific controversy leads to consequent suppression of scientific evidence and perspectives supporting other management, or non-management, as opposed to the Forest Service's proposed action alternatives, in the High Buck NPA and EA.

Examples of our comments regarding High Buck EA failure to disclose scientific controversy include scoping comments on pages 2, 12 (last comment), 19, 24, 27 (left margin), 32, 45, 66, and 72. The following are scoping comments on failure to disclose scientific controversy:

Re: Fire: The NPA four sentence account of the wild fire situation fails to disclose that there is significant scientific controversy over the Forest Service's use of fire regime and condition class to determine theoretical "departure" from fire return intervals. This section in the NPA shows some of the reasons for such scientific skepticism:

"Wildland fire has had little impact within the project area in the past 120 years. Active forest management and fire suppression have altered the natural fire regimes of the project area. Historical fire regimes 1, 11, and 111 are in conditions that put the area at risk of loss to uncharacteristic disturbance. These regimes are characterized by a mean fire return interval of less than 35 years (17% of the project area) and 35-200 years (34% of the project area.)" (NPA p. 4)

There is a lot to unpack here. First, there is no quantification of terms such as "little" impact and "uncharacteristic" disturbance, which are being defined however the Forest Service wants to define them with no public disclosure of term definition or evidence supporting these conclusions. Second, the Forest Service admits that "(a)ctive forest management and fire suppression have altered the natural fire regimes of the project area." So why would more forest management (i.e. logging, roading, burning, and continued livestock grazing) and more fire suppression (attempted through logging, non-commercial thinning, and burning as well as active suppression should a wild fire occur) be proposed? More active forest management and fire suppression, as planned for the High Buck area, would simply further alter the natural fire regimes of the project area, contrary to the stated purpose and need of reducing the "risk" of wild fire. Third, the Forest Service repeats their chronic mistake of conflating mean fire return intervals as the maximum fire return interval for fire conditions that would be considered "characteristic" or within the normal range. Yet mean fire return intervals only estimate the mean of the range of likely historic fire return intervals for an area. In other words a 35 year mean fire return interval does not mean that a 120 year gap in fires is necessarily unnatural. Considering the Forest Service qualification of "little" impact from wild fire within the project area in the past 120 years, it is not even being argued by the Forest Service that there have been no wild fires within the past 120 years. Further, a lack of wild fires over 120 years would not be "uncharacteristic" or unnatural at all for moister mixed conifer or high elevation Lodgepole pine forest that may be characterized by the Forest Service as having a 35-200 years mean fire return interval. So why the Forest Service desire to reduce the incidence or intensity of wild fire in forest types having a mean fire return interval of up to 200 years? These are forest types that naturally have infrequent, high severity fire, not the frequent, low severity fire regime that commercial thinning and prescribed fire are supposed to mimic.

The Forest Service isn't going to be able to change an infrequent, high severity wild fire regime-adapted forest ecosystem to frequent, low severity wild fire regime, and shouldn't try to do this. The wild life species within forest types with an infrequent, high severity wild fire regime evolved with those conditions and are adapted to those conditions. The forest is always susceptible to disturbance agents such as insects, disease, changing climatic conditions, drought, and wildfire. Current climate change is by definition "uncharacteristic". Logging won't change this. (Scoping comments starting on p. 3, par. 4) These comments are also showing inaccurate use of the science.

Re: "Fuels" (Biomass): The Forest Service fails to disclose that there is significant scientific controversy over the use of Fire Regime/Condition Class assumptions and modeling. The Forest Service also continues not to use the full range of best available science, which questions the emphasis on "fuels". Wildfire by its nature is irregular in timing and infrequent for moist mixed conifer. See our other comments on the Forest Service assumptions about wild fire regimes and prioritizing "fuels" reduction above. (Scoping comments on p. 6, 3rd par.)

Sample comments on the EA describing failure to disclose scientific controversy:
"The Forest Service is ignoring and not disclosing recent science that finds it is not appropriate to return to an assumed static point or range of historic conditions." (comments written on EA p. 19)
The science reference is to a study profiled in a recent Pacific Northwest Research Station publication newsletter.
"The EA analysis omits relevant recent science by David Mildrexler that large trees are severely depleted in eastern Oregon/southeastern Washington Blue Mountains Forests, yet represent the majority of forest carbon sequestration." (comment written on EA p. 24)
"There is no disclosure in the EA of the scientific controversy surrounding the use of Fire Regimes and Condition class to determine fire 'risk', the 'uncharacteristic' fire conditions assumed, and the proposed management. It would be very hard to demonstrate that such a naturally productive, moist, high elevation forest is significantly altered by fire suppression or outside its normal infrequent, long-term fire interval, or that logging would reduce the incidence, intensity, or extent of mixed to high severity fire characteristic of such a predominantly moist, high elevation mixed conifer forest type. The Forest Service is ignoring many recent studies that would refute these claims for the High Buck area, including those presented in a Forest Service Region 6 meeting in Baker City some years ago, during which invited scientists specifically de-prioritized logging and other management meant to reduce fire severity, extent, or incidence in high elevation moist mixed conifer." (comments written on EA p. 45)
"There is no analysis presented as to why 'placement of treatments and the way in which fuel and vegetation structure composition would be altered would allow for fire to play a more natural role.' (See EA p. 45, 1st par.) There's nothing evidently unnatural about the role fire plays in the High Buck area." (comments written on EA p. 45)
See other comments quoted under "Inaccurate use of the science" above for more references to failure to disclose scientific controversy, such as those written on EA p. 66.

Resolution:

Blue Mountains Biodiversity Project has commented on the Forest Service's failure to disclose scientific controversy in the High Buck NPA and EA. See our comments quoted and cited in the paragraph above.
To resolve this objection, the Forest Service must thoroughly disclose existing scientific controversy over agency assumptions and management plans in an EIS available for public review and comment. The Forest Service needs to use the full spectrum of best available science reflected in the controversy to guide management plans and to provide for a broader selection of action alternatives and changes in management direction.

II. The High Buck project violates the National Forest Management Act

The High Buck project violates the National Forest Management Act in the following ways: failure to ensure the viability of Management Indicator and other species, and violation of management guidelines, including for Developed Recreation and Visual Corridors and Wildlife

Connectivity Corridors. The Forest Service is in potential violation of Forest Plan standards and guidelines for scenic values and protection of soils through proposed actions.

Failure to ensure the viability of Management Indicator Species (MIS)

Our comments noted many areas of analysis in which the High Buck EA fail to demonstrate that the viability of Management Indicator (MIS) and Sensitive species would be ensured with project implementation. Species of concern for protection of viability included the following Management Indicator species: Pileated woodpecker, American marten, Primary Cavity Excavator woodpeckers; Redband trout; and Rocky Mountain elk; as well as Northern goshawk, which has protection guidance under the Eastside Screens.

We are also concerned about failure to ensure viability of Sensitive and Threatened-listed species on the Forest, including Threatened-listed Gray wolf; Threatened-listed Canada lynx; Sensitive-listed and Candidate for Up-listing Wolverine; Sensitive-listed Pacific fisher; Sensitive Columbia Spotted frog, and Sensitive-listed Redband trout.

The Forest Service has legal responsibilities to protect the viability of Management Indicator species, but not to move forest structure toward a theoretical Historic Range of Variability (HRV) as an over-riding goal. It's not appropriate or legally justifiable to keep reducing Management Indicator species' suitable habitat (e.g. American marten) in timber sale 'project' after timber sale 'project', even after that species is considered vulnerable by the U.S. Fish and Wildlife Service--which applies now to American marten, who would have suitable habitat acreage reduced under the High Buck project. The EA does not include adequate cumulative effects analysis as to all these reductions of suitable habitat across the Forest. (See our objection and comments above regarding inadequate cumulative effects analysis.) It is not justifiable to plan for continued impacts and cumulative potential loss of species viability for a Management Indicator species (e.g. Pileated woodpecker) based on "long-term" theoretical re-growth of suitable habitat eventually, as the species' viability may be lost before the habitat can grow back—especially given likely planned similar timber sales in the same area in the future, and the 100+ years suitable large and old habitat structure would take to re-develop.

Examples of how our comments express these concerns regarding the failure to ensure the viability of Management Indicator and other species:
Our scoping comments regarding the need to protect the viability of Management Indicator species and other species include comments on pages 2-3; 9, par. 3; 10, pars. 3-4; and 13, par.5. Sample scoping comments re: protecting the viability of MIS and other species:

Re: the Fish and Wildlife section, it's unbelievable that this only addresses elk and fish species and relegates the rest of wildlife species to: "many other wildlife species, including management indicator species and sensitive wildlife species." (NPA p. 3) Evidently Forest Service staff do not want the public to know what MIS and Sensitive wildlife species are known or suspected to exist within the project area in time for us to mention them by name during the only comment period being offered for this timber sale. (Scoping comments, p. 2, last par.)

We are also very concerned by undisclosed potential negative effects to Management Indicator species, including American marten, Pileated woodpecker, Rocky Mountain elk, and Primary cavity excavator woodpecker species....
Our concern is heightened by the complete lack of disclosure as to which MIS and Sensitive species are within or suspected to be in the project area. We are left to guess what TES and MIS species use the project area for habitat and whether we left out a species that might be in the area from our list above. (Scoping comments, p. 2, last par. into p. 3, 1st par.)

While we don't think this sale is necessary at all, if logging takes place, we want all large snags and existing down wood retained and more snags and logs retained than required in outdated

Forest Plan standards, including leaving all snags and down wood in suitable and active marten habitat. Pileated woodpeckers and Northern goshawks require at least 60% canopy closure for nesting, so no suitable and active Pileated woodpecker and Northern goshawk nesting habitat should be logged. Pacific fisher are dependent on large and old trees for denning and large logs for travel. We are concerned that logging of existing mature trees will increase the already big regional deficit in large tree structure compared to historic conditions. Many wildlife species and fish species depend on large wood structure, which is also critical for carbon storage and soil nutrient cycling. (Scoping comments, p. 9, par. 3)

Prescribed broadcast burning and landscape burning should not be done in moist mixed conifer or Lodgepole pine habitat. Prescribed burning was designed to mimic frequent, low intensity wild fire in dry forest types, not infrequent high intensity fire naturally characteristic of moist mixed conifer and high elevation Lodgepole pine forest. Burning moist mixed conifer stands eliminates essential structural components of habitat for many associated species, including Management Indicator Pileated woodpecker and American marten. Burning eliminates soft decaying snags and logs used by Pileated woodpeckers for foraging and abundant down wood used by marten for subnivean winter foraging. Burning and hazard tree felling in sale units could also greatly reduce or eliminate large snags used by Pileated woodpeckers for nesting and by marten for denning. (Scoping comments, p. 10, 3rd par.)

Our comments on the Environmental Assessment regarding the need to protect the viability of Management Indicator species and other species can be found written on EA pages listed by species below. Following are some sample comments on the EA regarding the need to maintain the viability of MIS and other species:
"We strongly oppose commercial logging in Pacific marten, Pileated woodpecker, and American three-toed woodpecker suitable or active habitat based on the information presented in the EA on pages 33-35. We also oppose prescribed burning in marten and Pileated woodpecker suitable or active habitat. The EA fails to consider the negative effects of prescribed fire to these MIS." (comment on EA p. 34)
Admissions in the EA giving us cause for concern for the viability of these three Management Indicator Species include the following:
"During logging activity, if these species are present, they may be displaced, and in the short term treated [logged] stands may no longer provide quality habitat due to canopy reductions....In addition to stand effects, canopy reductions would cause remaining habitats to be less contiguous. Old forest stands to be thinned in Alternative A are predicted to remain old forest but would not likely continue to provide reproductive habitat for these species due to canopy reductions." (EA p. 34, first two par.s after "Commercial Harvest")
"Commercial tree harvest would affect 35 percent of potential marten habitat in the project area in Alternative A, and 20 percent in Alternative B...After implementation of Alternative A, the project area may not retain enough habitat to support a pair of marten. The reduction in tree density would cause these stands to no longer be suitable for marten and in addition, remaining untreated habitat would be less contiguous. Treatments [logging] proposed along the northern boundary of the project area disrupt the connectivity of habitat from the wilderness." (EA p. 35, 1st & 2nd par.s under "Pacific marten")
Our comments in response to the new information about Pacific marten in the EA:
"It's not acceptable to incrementally log away more and more suitable habitat for MIS already ranked as Vulnerable, including Pacific marten and American three-toed woodpecker. Continued loss of suitable reproductive habitat for Vulnerable ranked species foreseeably would contribute to an upward listing trend under the ESA (Endangered Species Act) and eventual extirpation and loss of viability in violation of NFMA (the National Forest Management Act.)"

"Drop Alt. A planned management along the North boundary of the project area that would disconnect the connectivity of marten habitat from the Wilderness. See EA p. 35, 3rd full par."
"Alternative A would violate NFMA viability requirements for MIS under the Forest Plan by no longer supporting a pair of marten."
(comments on EA p. 35)
The EA also states the following regarding effects to Pileated and American three-toed woodpeckers:
"Commercial tree harvest would affect 33 percent of potential pileated woodpecker habitat in Alternative A, and 19 percent in Alternative B (Table 19)....this would be a reduction in nesting habitat....Commercial tree harvest would affect approximately 26 percent of potential three-toed woodpecker habitat in Alternative A, and 17 percent in Alternative B (Table 19). Reductions in tree density would likely make these areas less suitable for three-toed woodpecker reproduction..." (EA p. 35, last two par.s)
Our comments in response to the new information about effects to Pileated and American three-toed woodpeckers in the EA:
"Drop the commercial logging of Pileated nesting habitat as important for viability.
Drop all logging in suitable or active Pileated, marten, and Three-toed woodpecker habitat, including that outside of old forest in Alt. B—the 1,037 acre reduction for Pileated and marten, and the 1,190 acre reduction for Three-toed woodpecker habitat—see Table 19 of the EA."
(comments written on EA p. 35)
Further comments on the EA regarding effects to all three old growth-dependent Management Indicator species considered:
"The earlier analysis for these three MIS contradicts the conclusion on EA p. 36 that 'these species are likely to persist where they are currently present.' Switching to the Forest scale to justify a viability determination for species is not warranted when there is no analysis in the EA as to the effects of all the management actions to these species across the entire Forest—e.g. many more timber sales, more prescribed burning, more recreational disturbance, more open roads, and access for fur trappers (re: marten), etc. (See the lack of analysis as to Forest scale negative impacts to Pileated and American three-toed woodpecker, and Pacific marten that cumulatively threaten their viability on the Forest on EA p. 36) This is inadequate cumulative effects analysis." (comments on EA, p. 36)
Our comments regarding new information re: the status of elk habitat and effects analysis in the EA:
"The High Buck area is prime elk habitat which should not be further degraded by eliminating existing elk security cover through commercial logging. The Umatilla Forest Plan is seriously outdated and not in keeping with current best available science, so a precautionary approach needs to be taken to preserve wildlife viability.

Elk security cover is still not at the recommended level of 30%, so more commercial logging of suitable elk security cover should be dropped—this likely includes the old forest dropped from commercial logging in alt. B and more suitable habitat for marten, Three-toed, and Pileated.

More forage will be created by continuing wild fires and doesn't need to be artificially created by logging.

Alt. B is better for elk: 'In contrast to Alternative A, all of the old forest stands which likely provide the best hiding cover and shade would be left intact.' (EA p. 38)" (comments on EA p. 38)

Most of our comments in response to the EA re: Management Indicator species viability are quoted above. See any additional comments supporting our objection re: the need to maintain the viability of MIS species under NFMA:
Re: Pileated woodpecker: on EA page 33

Re: negative effects to old growth or LOS habitat for old growth-dependent species: on EA pages 25-26, 32 EA quotes re: Alt. B, & 33 quotes from the EA (not quoted above)
Re: American marten: on EA pages 32 and 33
Re: Primary Cavity Excavating woodpeckers: on EA page 34, 35, & 36
Re: American Three-toed woodpecker on EA pages 33-34
Re: Mule deer and Rocky Mountain elk: on EA page 38 re: elk and see also concerns re: degradation of wildlife connectivity corridors on EA page 26
Re: Redband trout and Columbia Spotted frog see INFISH comments below under Forest Plan violations and ESA violations. We also listed both Redband trout and Columbia Spotted frog as species of concern to us regarding potential impacts from logging and road building in our Scoping comments. However the Forest Service apparently did not analyze effects to Columbia Spotted frog and Redband trout specifically in the EA. This represents inadequate analysis.

Resolution

BMBP has commented on its objection to the Umatilla National Forest's failure to provide for viability of Management Indicator and other species in the High Buck project. See our comment citations and sample quotes in the above paragraphs.

Resolution of this issue would include:
Re: Pileated woodpecker and marten viability: Drop commercial logging and prescribed burning in all sale units that incorporate suitable or active habitat for Pileated woodpeckers and American marten, which would be cooler, moister mixed conifer old growth or LOS habitat with 40-60% canopy closure or more, and for marten, abundant down and elevated logs for winter foraging, as well as large snags for both species. See our survey sheets for guidance re: fresh Pileated foraging and/or Pileated nest or roost holes in snags and abundant down and elevated logs and large snags for marten. Pileated woodpecker nesting habitat is generally in proximity to old growth Grand fir foraging habitat in riparian corridors or moist high elevation mixed conifer.
Re: Primary Cavity Excavating woodpecker viability: Protect large snags and groups of snags and significantly reduce snag loss by reducing mature tree logging, especially in the 15-21" dbh range and by dropping "temporary" road construction and closed road reconstruction to reduce loss of snags through hazard tree felling.
Re: Northern goshawk and MIS American marten and Pileated woodpecker:
* No commercial-size logging in suitable primary goshawk habitat and PFAs, suitable marten habitat, suitable and active Pileated woodpecker habitat, with no overstory canopy reduction in these areas;
* No log and snag reduction in suitable and active American marten and Pileated woodpecker habitat;
* Drop all commercial-size logging in wildlife connectivity corridors;
* No prescribed burning of suitable habitat for Pileated woodpecker and American marten;
* Drop all commercial logging, noncommercial thinning, and prescribed burning within any undeveloped lands.
*Drop planned "temporary" roads as these often remain on the landscape and increase access for illegal firewood (often large snag) cutting and fur trappers and for disturbance to nesting goshawks, and reduce re-opening of closed roads for the same reasons.
*Drop any commercial logging in known goshawk PFAs, as well as in any other goshawk activity centers (nests and PFAs) discovered.
Re: deer and elk:
* Retain more overall tree density and deer and elk cover—especially by dropping sale units in cool moist and cold dry habitat and in microhabitat patches where greater density would naturally

occur, such as at higher elevations, within RHCAs, on North to Northeast aspect slopes or in hollows, and in wildlife connectivity corridors.
*Road density should be reduced to at least the Forest Plan standards and objectives for elk.
Re: Redband trout and Columbia Spotted frog: See recommended remedies under Forest Plan violations—NFMA, above, and ESA violations, below.

We also included High Buck sale-specific proposed resolutions to our objections regarding protection of the viability of these species in our EA comments and our survey sheet recommendations. Please see our survey sheet priority drop sale units for these species, plus any additional known suitable habitat for these species in commercial logging sale units that should be dropped from logging.

Other Forest Plan violations

Additional Forest Plan violations in the High Buck project include potential violations of Forest Plan standards by impairing the effectiveness of wildlife connectivity corridors; by violating management guidance for recreation areas; and by not following visual corridor and scenic quality management guidelines. Violation of Forest Plan standards also include potentially exceeding Forest Plan limits to detrimental impacts to soils.

Forest Plan Management Area Guidance Violations

Re: Violation of Wildlife Connectivity Corridor Management Goals
We are strongly opposed to commercial logging and excessive "non-commercial" size thinning in wildlife connectivity corridors. We want the Forest Service to drop all commercial logging and limit non-commercial thinning in connectivity corridors, as it defeats the purpose of leaving denser areas to allow for movement of old growth-associated wildlife species, as well as native ungulates using these areas as security cover, and to provide greater habitat security in these areas compared to intensively managed stands outside these corridors.

Our scoping comments regarding violation of wildlife connectivity corridor management goals can be found below. We also expressed concern regarding provision of sufficient deer and elk security cover, such as is often provided by wildlife connectivity corridors. For example:

Wildlife: Reducing existing contiguous habitat and movement connectivity corridors for wildlife species should not be allowed. With extreme climate change in progress, wildlife species need all the higher elevation and moister habitat available, with more protection and more connectivity to other habitat areas, not less. Otherwise the Forest Service is aiding and abetting the Sixth Mass Extinction. (scoping comment, p. 11, last par.)

See also our additional comments supporting this objection on EA pages: 26, last comment and 11, top comment. See our sample comment on the EA below:
"The Forest Service is willfully ignoring the role of high elevation headwaters forest cover in retaining moisture for downstream streams and fish, moist mixed conifer habitat for associated wildlife species and plant diversity, and as needed refugia for wildlife dispersing or migrating to higher elevations or north to escape extreme climate change degradation of existing suitable habitat." (comment written on p. 11 of the EA)

<u>Resolution:</u>

BMBP has commented on the potential Forest Plan violation of not following management area intent regarding Wildlife Connectivity Corridors. See our comments cited and quoted above.

*Drop all planned commercial logging and limit non-commercial thinning to only the densest areas (that appear due to wildfire suppression) in mapped or identified wildlife Connectivity Corridors.
* "Drop proposed management in actions in understory reinitiation stands that would cause OFMS (Old Forest Multi-Strata) or OFSS (Old Forest Single Stratum) to be less connected in small portions of the project area. Connectivity is required for all LOS/Old growth stands under the Eastside Screens." (comment written on EA p. 26) These connections between LOS/Old growth stands must be made at least in two directions to other stands.

Logging within and adjacent to Developed Recreation sites does not meet the Forest Plan Management Area requirements

Our scoping comments state the rationale for this objection:

Re: Recreation: Recreational areas such as hiking trails and trailheads are not limited to "short term inconvenience for recreation users in the area during operations". (NPA p. 12) Commercial logging would leave long-term degradation of the now relatively natural appearing forest that would be apparent for decades. There would be greatly reduced scenic quality with greatly altered appearance and evidence of industrial extraction along the trails, at least one trailhead, and dispersed campsites along the boundary of the North Fork Umatilla Wilderness Area. Degraded recreational aesthetics and diminished scenic quality would include views of recent logging sites with stumps, fresh skid trails, landings, and clear-cut openings, as well as sale unit paint markings on trees, re-opened closed roads or newly constructed "temporary" road segments, and jarring conversion of green, shady, diverse mature or old growth mixed conifer forest to barren open stands missing many mature trees, snags, and logs, with high levels of ground disturbance, including torn up ground and shredded plants. The forest would never be the same as it was, especially if re-planted with seedlings of only a few tree species. The area would be missing the elements of intact natural forest, including tree species and plant diversity, structural complexity and associated wildlife. It's amazing to me that Forest Service staff can say that the only impacts would be "short term inconvenience...in the area during operations." Surely whoever is writing this knows better and realizes the blatant dishonesty of this claim. The vast majority of recreationists do not come to National Forest recreational areas or for Wilderness Area hiking, hunting and camping to see more logging, or as the NPA puts it disingenuously, "an incremental addition to the existing managed nature of the landscape." What a euphemism for more ecologically destructive logging! Stop logging forest areas obviously valued and used for recreational experiences in wild Nature. (Scoping comments, p. 10, last par.- p. 11, 1st par.)

We also addressed recreation in our comments in response to new information in the EA on pages 21 (left margin to bottom of the page) and 56. Our comments on p. 56 and 21 are quoted below:

"The EA is so sloppy in its analysis for impacts to recreation and scenery that it fails to define the acronym 'VQOs' (Visual Quality Objectives?) when it is first used or list them "above" as claimed on p. 56. To most recreationists, logging-caused 'changes in the natural composition of the forest' do not just 'slightly alter its overall appearance to the casual forest visitor', with 'casual' visitors remaining undefined versus other recreational users that may notice and care

more about the degraded condition of the forest. 'Desired VQO' meeting is a Forest Service managerial construct, not the recreationists' lived experience and reactions to unnatural conditions. There is no analysis justifying the assumption that if the activities are still possible, recreationists will still come and recreate, no matter what the area looks like (which remains un-described in the analysis) or whether the mushrooms no longer appear in accustomed gathering areas or berries are still abundant in logged wasteland areas and slash piles. Hiking, birdwatching, sightseeing, forest product gathering, and Wilderness access recreationists are especially sensitive to logging changes, but so are the other recreational users such as horseback riders and mountain bikers. The greatly altered appearance and conditions due to logging should have been described in the EA as to how they would affect each form of recreation based on location and intensity of logging and other management and its effects to particular recreational values at stake. Effects from logging are long-term, not just limited to the management implementation period. Logging greatly diminishes enjoyment of areas for most people, not just 'some'. This is inadequate analysis." (comments written on EA p. 56)

"It's evident on the ground that forest density reduction is simply being used indiscriminately to identify areas where there are still enough mature and/or large trees to log after decades of over-logging, resulting in targeting special management areas such as old forest, RHCAs, goshawk habitat, recreation areas, very steep slopes, etc. that were avoided in past logging for sound ecological protection and high social value reasons. The High Buck area is highly valued by the public for recreation and has some of the last old growth, near reference condition forest in the area for wildlife habitat, as well as steep slopes directly above creeks and Threatened-listed fish runs targeted for logging. LIDAR satellite imagery and aerial photo reference lead to such mistakes when used in lieu of field surveying." (comments written on EA p. 21)

See below for our suggested resolution for these Forest Plan violations of Management Area standards and guidelines.

Logging within Visual Management Corridors does not meet the Forest Plan MA (Management Area) requirement

Our comments explain our objection position:
Re: Management Areas affected:

Commercial logging does not meet the Management Area objectives for A3—Viewshed 1, A4—Viewshed 2 and C4—Wildlife Habitat (as well as for C1—Dedicated Old Growth and C5—Riparian habitat, though those Management Areas are not currently planned for logging.) We ask the Forest Service to drop all commercial logging in C4 Wildlife Habitat (350 acres), A3 Viewshed 1 (305 acres) and A4 Viewshed 2 (170 acres.) Commercial logging, roading and biomass removal is not consistent with providing high levels of potential habitat effectiveness for "big game" and other wildlife species with emphasis on size and distribution of habitat components or for maintaining scenic quality "as a natural appearing landscape" or for maintaining scenic quality "as a natural appearing to slightly altered landscape." (NPA p. 6) (scoping comments, p. 8, par. 2)

See also our scoping comments quoted from p. 10 and our EA comments on p. 56 quoted immediately above under Recreation, which also refer to scenic quality and recreationists' reactions to logging destruction of the forest.

Resolution for Management Area Standard and Guideline Violations

We ask the Forest Service to drop all commercial logging in C4 Wildlife Habitat (350 acres), A3 Viewshed 1 (305 acres) and A4 Viewshed 2 (170 acres.) Commercial logging, roading and biomass removal is not consistent with providing high levels of potential habitat effectiveness for "big game" and other wildlife species with emphasis on size and distribution of habitat components or for maintaining scenic quality "as a natural appearing landscape" or for maintaining scenic quality "as a natural appearing to slightly altered landscape." (NPA p. 6) (scoping comments, p. 8, par. 2)

The following High Buck commercial logging sale units also need to be completely dropped due to negative effects to recreational uses and scenic quality: sale units: 3, 2, 11, 26, 32, 9, 45, 46, 73, 71, 97, 89, & 90, all adjacent to or visible from the North Fork Umatilla Wilderness Area; 93 & 94 next to the North Fork Umatilla River; and along trails or around trailheads, sale units: 28, 42, 45, 46, 73 & 71, and 74, 77, 78, 97, 89, 90, 93, & 116, and 23 & 32. (scoping comments, p. 14)

*Drop all commercial logging and "temporary" road building and closed road re-opening within and adjacent to recreational sites (with a substantial buffer of at least 150 feet on each side or set by Management Area designation boundaries or topographical changes further out), including all hiking and horseback riding trails, mountain bike and snowmobile/cross country skiing trails, developed campgrounds, user-created campsites, Wilderness area boundary areas (which often have views of the Wilderness and camping use), all trailheads, popular mushroom gathering and berry picking areas, all indigenous people's cultural use sites and cultural plant gathering sites, and popular hunting areas, including all old growth and Late and Old Structure forest areas. The Forest Service needs to communicate with recreationists using the forest by asking them where their popular gathering sites and user-created camps are and then avoiding them with logging and road-building. Non-commercial tree thinning up to 9" dbh by hand could still be used where most needed without significantly impairing recreational values.

Potential violation of road density standards and road concerns regarding "temporary" road construction and re-opening of miles of currently closed roads:

Our comments regarding impacts to wildlife species sensitive to disturbance explain our position: See also our comments regarding deer and elk security concerns.
Our relevant scoping comments follow:

Key issues for analysis:

We are greatly concerned by the Forest Service's continued prioritization of commercial logging despite the existing widespread degradation of the Forest from repeated over-logging, associated roading and livestock use. This is an era when extreme climate change and the sixth mass extinction demand an end to destruction of wildlife habitat, increased protection of habitat and connectivity and near complete protection of existing forest carbon storage and sequestration. There should be no more logging of mature and large trees. There's no jobs on a dead planet.

We are also concerned by everything being omitted in this Notice of Proposed Action when this is the only (scanty) information made available for comment. Key issues for detailed analysis that needs to be made available for public comment include the following: potential detrimental soil impacts; project contributions to climate change effects; implications of extreme

climate change for forest carbon storage and sequestration and for needing protection of well-connected intact wildlife habitat; potential impacts to Threatened-listed fish species; potential effects to Management Indicator species and to Sensitive wildlife species; effects to Sensitive and rare plants; effects to forest moisture retention from commercial logging of moist mixed conifer forest; effects to keystone and rare predators such as Pacific fisher, Canada lynx, Gray wolf, American marten, and wolverine; hydrologic effects of logging and roading to project area streams and downstream rivers; effects to recreational uses and scenic quality in the project area, etc. (scoping comments, p. 9, 1st two par.s)

Our comments regarding roads were more specific in explaining our position in response to the new information in the EA, appearing on EA pages 8, 24, 67, 68, 79, and 82. Following are sample EA comments regarding roads:

"We are opposed to re-opening of closed roads and unauthorized routes that were closed to prevent ecological damage, reduce road density to Forest Plan standards, or provide for wildlife security, such as for elk. We are also opposed to re-using 'temporary' roads as 'existing disturbance' and re-opening blocked or overgrown closed roads. The Forest Service can't keep up with maintenance of existing open roads or decommissioning of 'temporary' and closed roads. More open roads—including 'existing disturbance'— roads increase illegal firewood cutting, off road ATV travel, and the introduction and distribution of exotic invasive plants, as well as increasing fur trapping." (EA comment on p. 8)

"We ask that no 'temporary' roads be built—especially not in old forest or in RHCAs...." (EA comment on p. 24)

"Re-opening of currently closed—and in some cases, overgrown—roads and construction of 'temporary' new roads would definitely have potential negative effects to hydrologic functioning under both alternatives, despite the unjustified claim to the contrary on EA p. 68, par. 1. These effects need to be disclosed, quantified, and analyzed as to outcomes to water quality, stream channels, and aquatic species such as listed fish species." (EA comment on p. 68)

"Management does not have to occur within 'bankfull' channel to affect pools per mile, width to depth ratio, or sedimentation. Sediment routing can come from haul roads. Large wood can be diminished that could otherwise reach RHCAs (e.g. from hazard tree removal due to roads) and depth of water can be reduced by overall drying effects of forest cover removal." (EA comment on p. 79)

"The 'Roads' related 'Resources Effects Disclosure' bypasses needed analysis by failing to analyze the effects of re-opening miles of closed road (some of which may be overgrown)and constructing new 'temporary' roads to: soils, wildlife disturbance, recreational and scenic values, soil carbon storage, hydrologic flows, sedimentation of streams, fish, etc." (EA comment on p. 82)

Resolution

BMBP has commented on our concerns re: 'temporary' road construction and the re-opening of miles of currently closed roads. See our comments cited and quoted above. Many of our suggested resolution remedies may be requested under the heading of other issues, such as ESA—re: Gray wolf, potential Clean Water Act violations, and under NFMA—MIS viability. Specific remedies suggested in our High Buck EA comments:

Roads: The preliminary findings statement for road effects is not encouraging. To use PDCs (Project Design Criteria) for the protection of soil, water, and aquatic "resources" only "as practicable" is not sufficient. This is loophole language that would allow for easy violation of detrimental soil impact standards, water quality standards, and violation of the Endangered Species Act regarding protection of Threatened-listed fish species and their critical habitat. It's not enough for the EA to disclose effects to listed fish species and fish habitat when there is no public comment period allowed for the EA. (scoping comments, p. 12, par. 5) In other words, eliminate loophole language in PDCs and replace it with firm, enforceable language such as "shall" and reference to the PDC being "mandatory".

*Drop all 'temporary' road construction and opening of closed roads in RHCAs. (EA p. 67)
*Drop proposed stream crossings on unpaved roads. (EA p. 67)
*Drop the planned log hauling on approximately 5 miles of unpaved roads in RHCAs. (EA p. 68)
*Drop all proposed 'temporary' roads as most such roads are never fully decommissioned, are re-used, and are not fully restored as required in the Forest Plan. (EA p. 67)

Our standard resolution requests regarding roads:
*Drop the re-opening of closed roads that were closed for ecological protection reasons, such as hydrological connections, soil erosion, and wildlife disturbance, as well as closed roads that have already grown over, or would require reconstruction.
*Drop re-opening of closed roads and 'temporary' road-building in, or adjacent to RHCAs.
*Drop all 'temporary' road construction.
*Decommission fully all roads within RHCAs except for major roads not causing ecological damage.
*Reduce overall road density to less than Forest Plan standards, based on best available science.

Potential Violation of Soil Protection Standards

Our comments explain our objection. Our scoping comments relevant to impacts to soils can be found on pages 12, 13, and 14. Sample scoping comments re: soil protection follow:

Effects to Soil and Water: We are concerned by potentially significant negative impacts to soil integrity, fertility, and productivity and to water quality from planned logging, increased road use and extensive removal of biomass through burning. The Forest Service is not disclosing scientific controversy over the relative effectiveness of Best Management Practices. See our other comments for more detail on potential soil and water quality impacts that give us cause for concern. (scoping comments, p. 12, par. 4)

EA comments regarding soil impacts are written on the following EA pages: 57, 58, 59, 60, 61, and 62. Sample comments on the new information in the EA regarding detrimental soil impacts follow:

"Cable yarding-proposed sale units should have been assessed for detrimental soil impacts due to very steep slopes and ashy soils. At 16-17% existing detrimental soil conditions for sale units, the Forest Plan standard limit of a maximum of 20% detrimental soil conditions would likely be violated. Soil mitigation measures (i.e. subsoiling) are not 100% effective or always fully implemented, so the Forest Service can't rely on mitigation measures to meet the Forest Plan standard." (comments on EA p. 57)

"The EA should have identified specific sale units with existing high detrimental soil conditions that would likely reach or exceed the Forest Plan 20% limit with proposed management actions in those sale units. This is standard disclosure and analysis in EAs and EISes throughout the Blue Mountains Eastern Oregon/Southeast Washington region for National Forests. Such detailed analysis allows for identification of which sale units should be dropped or changed to no heavy equipment use due to foreseeable violations of the Forest Plan standard for detrimental soil impacts. Otherwise mitigation or avoidance of detrimental soil impacts that would exceed the Forest Plan standard is not guaranteed. Ashy soil also needs to be analyzed for potential displacement into downhill streams, especially from heavy equipment use or yarding on steep slopes. Fine ashy soil is well known for displacement and could threaten water quality for fish species and other aquatic species, clogging fish gills and inundating redds or spawning substrate." (comments on EA p. 58)

"There is no evidence or relevant science studies cited to justify the EA's conclusion that while 'possible changes [which remain undisclosed] associated with soil displacement occur under extreme conditions' are not 'expected' in the project area (EA p. 60, par. 1)—even though extreme climate change effects are already occurring world wide and will foreseeably become more intense and more ecologically destructive. The EA analysis is grossly inadequate because of its omission of climate change effects consideration." (comment written on EA p. 60)

Resolution

BMBP has commented on our objection that the High Buck project as proposed could violate Forest Plan soil protection standards. See our comments quoted and cited above.

To resolve this objection, the Forest Service needs to do the following:

A specific remedy for this objection for High Buck appears in our scoping comments:

If this project is still planned to go forward we ask that the following High Buck sale units be dropped completely: Due to steep slopes or slopes over creeks, a spring, or the North Fork Umatilla River: commercial logging sale units: 178, 171, 116, and 93 over the North Fork Umatilla River; 78 over Johnson Creek; 46 & 62 over Buck Creek; 23 over Lake Creek; 11 over Swamp Creek; 55 over Phillips Creek; 2 next to Whim Spring; 143 & 144 over East Phillips Creek; and 179, 180, 181, 182, & 183 over Pedro Creek. (scoping comments, p. 13, last par.) This relates to soil impacts as steep slope logging causes more erosion and soil displacement, resulting in much higher detrimental soil impacts.

*Drop sale units which are acknowledged to have already high degrees of detrimental soil impacts or sensitive soils likely to lead to violation of Forest Plan standards for soil protection with proposed management.

*Drop logging of any slopes greater than 35% to reduce potential erosion, loss of soil integrity, and potential sedimentation of creeks, if adjacent.

*Drop any sale units or parts of sale units unlikely to meet Forest Plan standards for detrimental soil standards without further mitigation, as mitigation is unlikely to be 100% effective.

Undeveloped Lands

Blue Mountains Biodiversity Project has long-standing concerns over the logging and roading of undeveloped lands, which are some of the last strongholds for wildlife and unimpeded natural ecological processes to occur outside of roadless areas and Wilderness Areas.

Our scoping comments supporting this objection:

We are also concerned that wildlife using both the Wilderness Area and the project area would be diminished in populations or viability from loss of suitable habitat due to planned logging, road building and opening and/or burning. The species most likely to be affected include relatively rare far-ranging keystone predators such as Threatened-listed Gray wolves; Threatened-listed Canada lynx; Sensitive Pacific fisher; Sensitive wolverine and Vulnerable-ranked American marten. The Forest Service fails to disclose whether any Inventoried Roadless Areas, undeveloped lands, Wilderness Study areas, Wild and Scenic River segments, or Areas of Critical Environmental Concern are adjacent to the project area. We are strongly opposed to logging, roading and other destructive management of Inventoried Roadless Areas, undeveloped (never before logged or roaded) lands, Wilderness Study areas, Wild and Scenic River corridors, and Areas of Critical Environmental Concern. (scoping comments, p. 13)

Our comments addressing new information in the EA also specifically express our concerns regarding the loss of undeveloped lands to logging and/or road construction or re-opening: "We are strongly opposed to further development through logging and roading some of the last undeveloped lands in this project area outside of Wilderness Areas. The rationale of there remaining 'little undeveloped value in this project area' left due to having already developed 57% of undeveloped lands in the High Buck area already actually supports the argument not to develop (log or road) undeveloped lands incrementally until there are no more reference condition unmanaged lands in the project area. As the EA admits on p. 85: 'Undeveloped lands have intrinsic and social values because they do not contain a history of management and the lands do not contain forest roads.' (Emphasis ours.) Yet the EA fails to identify these values and consider the repercussions of sacrificing them to resource exploitation. These values of undeveloped lands include: reference conditions by which to assess the impacts of management actions, which are necessary for implementing adaptive management (i.e. learning from past and ongoing mistakes and preventing future ecological and social values degradation and destruction); preserving critical headwaters water quality and abundance in the advent of extreme climate change droughts and more extensive or intensive wildfires; preserving plant and wildlife diversity based on natural micro-habitat conditions and natural disturbance-created habitat niches for all the native wildlife and aquatic species that evolved with unmanaged or only lightly managed (by indigenous peoples) conditions; providing refugia for species that cannot thrive or persist in habitat degraded by management; providing refugia for wildlife and fish species forced to migrate to find suitable habitat under a drastically changing climate; supporting Native people's treaty rights and cultural uses of the land; and providing people with a natural recreational experience and solitude and peace of mind outside of Wilderness Areas. Further, based on Conservation Biology, far-ranging keystone predator species such as Gray wolf, Canada lynx, Pacific fisher, Pacific marten, and other keystone species such as American beaver, need more unmanaged habitat to survive in the long-term, for future generations of the species." (Comments on EA p. 86, with some editing of the draft comments)

We request the following:

*Please clearly identify and disclose to us the location and size of any undeveloped lands identified by the Forest Service as undeveloped lands planned for management so that we can evaluate which sale units have likely never been roaded or logged or have largely recovered from highly selective past logging, as compared with our survey sheets.

* Drop any logging in undeveloped lands. We are strongly opposed to any logging or other development in such rare relatively pristine areas, which serve as scientific reference conditions, undisturbed wildlife habitat, fish strongholds, and primitive recreation areas
* We are opposed to converting unmanaged lands to managed lands wherever they exist. We are also opposed to logging forest areas that were only lightly logged, with little evidence of logging impacts.

III. The High Buck Project Would Violate the Endangered Species Act

We are very concerned that the Forest Service is not adhering to the intent and management guidance of the Endangered Species Act. We are concerned regarding Forest Service disregard for the need to maintain sufficient suitable habitat and conditions to prevent a trend toward federal uplisting for Threatened-listed Gray wolf; Sensitive-listed Columbia Spotted frog and Redband trout; Vulnerable-ranked American marten; Sensitive-listed Pacific fisher and Candidate for Up-listing Sensitive Wolverine; Sensitive-listed plant species; and Northern goshawk, which is cumulatively threatened by the ever escalating scale and pace of heavy logging based on density reduction. All of these species have potential active or suitable habitat in the High Buck project area that is potentially threatened by High Buck Draft Decision Notice management plans—especially through planned logging of undeveloped lands and old growth forest and by re-opening of closed roads and building of new 'temporary' road.

Our comments explain our concerns regarding violation of the Endangered Species Act through degradation or elimination of suitable and core habitat setting back species recovery, threatening loss of population viability, or otherwise contributing to a federal uplisting trend for the species:

Scoping comments re: Pacific fisher:
Pacific fisher are dependent on large and old trees for denning and large logs for travel. We are concerned that logging of existing mature trees will increase the already big regional deficit in large tree structure compared to historic conditions. Many wildlife species and fish species depend on large wood structure, which is also critical for carbon storage and soil nutrient cycling. (scoping comments, p. 9)

We are also concerned by everything being omitted in this Notice of Proposed Action when this is the only (scanty) information made available for comment. Key issues for detailed analysis that needs to be made available for public comment include the following: potential detrimental soil impacts; project contributions to climate change effects; implications of extreme climate change for forest carbon storage and sequestration and for needing protection of well- connected intact wildlife habitat; potential impacts to Threatened-listed fish species; potential effects to Management Indicator species and to Sensitive wildlife species; effects to Sensitive and rare plants; effects to forest moisture retention from commercial logging of moist mixed conifer forest; effects to keystone and rare predators such as Pacific fisher, Canada lynx, Gray wolf, American marten, and wolverine; hydrologic effects of logging and roading to project area streams and downstream rivers; effects to recreational uses and scenic quality in the project area, etc. (scoping comments re: key issues for analysis, including Pacific fisher, Canada lynx, Gray wolf, Pacific marten, and wolverine, as well as Sensitive and rare plants and Threatened-listed fish species, p. 9, par. 2)

Effects to fish species: Here the Forest Service is failing to disclose best available current science that finds that PACFISH and INFISH buffers, while helpful, are not sufficient to protect streams and aquatic life, including fish, from commercial logging impacts. Potential impacts from outside

RHCA buffers include erosion and increased sedimentation of streams, drying out of moist riparian zones, introduction and dispersal of invasive plants and changes to hydrologic flows. There could also be reduction in future tall, large tree recruitment to streams for pool formation, mass wasting of steep slopes and increased funneling of excess fine sediment into streams from roads between the stream and sale units and from log hauling on roads adjacent to RHCAs. Canopy density in RHCAs and shading should be maintained along intermittent streams too, not just along perennial streams. With no disclosure of proposed project design features, it is impossible to judge how effective they would be in reducing or preventing potential impacts to creeks not just from prescribed burning but also from nearby commercial logging and heavy equipment use. (scoping comments, p. 11, par. 3)

There is no disclosure in the NPA of which Sensitive and invertebrate species are in the project area and at risk to management impacts from the High Buck timber sale. We are concerned by potential impacts to Sensitive Columbia spotted frog; Sensitive Redband trout; any other Sensitive fish species; Pacific lamprey; any Sensitive other frog species or salamanders in the area; any Sensitive mussel species and aquatic macroinvertebrate species and insects such as Sensitive butterfly, dragonfly, or bee species that may be in the area. (scoping comments, p. 12, par. 2)

Plants: Regarding Sensitive plant species, "to the extent possible" is language allowing for enormous loopholes for negative impacts. Ground disturbance should automatically be prohibited through contract and flagging of buffers for any Sensitive plants found in surveys. This is standard practice on most National Forests in the region. (scoping comments, p. 12, par. 2)

Comments from our response to new information in the EA regarding the need to protect Sensitive and Threatened species from up-listing, extirpation, and eventual extinction include comments on EA pages 21, 2nd half/left margin; 40, right margin & bottom; 68, top & right margin; 71 re: sedimentation effects to fish and other aquatic species; 73; 75; 77; 80; and 81, top.

Sample comments from our EA comments related to Endangered Species Act concerns:

"There is no analysis indicating how it is assumed that there are no Threatened or Endangered wildlife species on the Umatilla National Forest! What about Canada lynx, Candidate for Up-listing wolverine, and Gray wolf on the Umatilla? What about Threatened-listed fish species, including Bull trout, Mid-Columbia Steelhead trout, Snake River Basin Steelhead trout, and Snake River Spring/Summer Chinook salmon?
This is grossly insufficient analysis regarding effects to TES species. Effects to local recovery of Gray wolf packs are completely omitted. The potential for Canada lynx, Wolverine, and Pacific fisher (Threatened, Sensitive/Candidate and Sensitive) in this high elevation moist mixed conifer forest next to a Wilderness Area is also completely ignored although all three species could use the High Buck area. We found what looked like wolf scat along hiking trails in the sale units, and definitely heard a wolf howling one night from our camp in a sale unit (three of us heard it.) We also found large at scat that could have been lynx. Ignoring these keystone species must have been purposeful. Simply listing the other Sensitive species that could be affected is not sufficient analysis under NEPA. It is not adequate analysis to jump from a statement that 'the project may impact' Sensitive species to the unjustified conclusion that 'These impacts are not expected to contribute to a trend towards federal listing or cause a loss of viability to the population or the

species', with no explanation of how that conclusion was reached for each species. (comment written on EA p. 40 with minor edits)

"There are huge gaps in stream survey data, making stream water quality and riparian management objective trends impossible to determine....These are 15 and 22 year gaps in survey data for the North Fork Umatilla River and Pedro Creek. Why is there no stream survey data for Phillips Creek (which has Steelhead spawning and salmon and trout rearing and migration habitat), or for Buck Creek, Johnson Creek, Swamp Creek, and Lake Creek (Bull trout spawning and rearing) and all these creeks' tributaries? These are listed fish species with Critical Habitat designations under the ESA! Lack of monitoring means lack of protection." (comments on EA p. 73)

"Why has there apparently been no aquatic restoration plan to remove and replace physical culvert barriers to fish in listed fish species' habitat in the High Buck project area? The effects of these culvert barriers to fish species should have been discussed in the EA analysis. The location of these culvert barriers should also have been divulged in the EA to disclose such pertinent information as to whether they are blocking the use of spawning and rearing habitat or Designated Critical Habitat or Essential Fish Habitat for Federally listed, Sensitive, and/or Management Indicator fish species, as part of cumulative effects with potential impacts to the viability of the fish species, such as fine sedimentation of streams." (comments on EA p. 75)

"Since there is an acknowledged backlog of road maintenance that hasn't been done and so-called 'temporary' roads are rarely fully decommissioned and are often re-opened for the next timber sale, the assurances on EA p. 79, 2nd to last par., are not reassuring as to reducing road-related sediment 'during the longer term.' Project design features do not guarantee significant reduction of sedimentation, especially in the context of re-opening and re-using closed roads and constructing new 'temporary' roads, as the roads are the primary sources of long-term sedimentation. Channelized sedimentation from hydrologically connected roads is still a significant risk even with the PACFISH RHCA buffers in place—especially in the context of severe storm events which are definitely increasing under current extreme climate change. This is inadequate analysis for sedimentation effects. Effects to fish from sedimentation as opposed to impacts to stream morphology are not analyzed or quantified in the cumulative effects analysis although 'Existing roads...increase the risk of sedimentation of streams.' The limited cumulative effects section for fish fails to consider possible cumulative effects for sedimentation, which is not prevented by the area remaining under the ECA threshold." (comments on EA p. 80)

"The inadequate analysis for effects to fish—especially via sedimentation—leaves the EA findings of 'No Effect' to federally listed aquatic species or their Designated Critical Habitats and 'No Impact' to Sensitive aquatic species and their habitats unjustified and invalid." (comments on EA p. 81)

Resolution:

Blue Mountains Biodiversity Project has extensively commented on our objection regarding violations of the Endangered Species Act. See our comment quotations and citations in the paragraphs above. Some of the species addressed in this objection have remedies cited under NFMA—MIS and other species viability above, that are also applicable to the ESA violations. Additional partial resolutions are by species below:

Re: Threatened Steelhead trout, Bull trout, and Spring/Summer Chinook salmon, and Sensitive Redband trout and Columbia Spotted frog and Sensitive riparian plant species:
*Drop all heavy equipment use and related stream crossings and all closed road re-opening and 'temporary' road construction in all Designated Critical Habitat and Essential Fish Habitat Areas, as well as in Columbia Spotted frog habitat and Redband trout habitat stream reaches and within RHCAs in general. Buffer and protect any Sensitive plants found in current or pre-implementation surveys within or adjacent to RHCAs.

Re: Gray wolf:
*Retain more good security cover (hiding and thermal) for elk and deer where there is high use by elk and deer, and through dropping sale units suitable in habitat for other density-related species, such as Northern goshawk, American marten, and Pileated woodpecker.
*Drop construction of 'temporary' roads and greatly reduce the proposed re-opening of closed roads to protect Gray wolf security during dispersal as much as possible.
*Drop logging and roading in any identified undeveloped lands.

Re: Management Indicator species— Pileated woodpecker and American marten, see resolution suggestions under NFMA MIS viability, above, for these species.

Re: Pacific fisher:
*Drop all commercial logging of LOS stands with suitable habitat for Pacific fisher, such as old growth moister mixed conifer.
*Retain more mature Grand fir and Douglas fir wherever it would naturally occur (e.g. in moist mixed conifer, in riparian zones, on North to Northeast facing slopes, and in high elevation mixed conifer) so that more mature Grand fir and Douglas fir will survive to become suitable hollow denning trees.
*Drop all known suitable Pacific fisher habitat. (Two of us had a positive Pacific fisher sighting in broad daylight in a Wolf sale unit on the Ochoco and the Pacific fisher was recorded in Forest Service NEPA documentation for the Fox Roadless Area on the Umatilla National Forest as present in the area.)

Re: Sensitive plants:
*Buffer known and discovered populations of Sensitive plants by at least 100 feet on every side from all heavy equipment use, including logging and road re-opening or construction. We are surprised that only two Sensitive plants were identified in High Buck plant surveys, as this is a botanically diverse and lush area. Consider doing more focused plant surveys within all the commercial logging sale units.

IV. The High Buck Project Would Violate the Clean Water Act

Examples of our comments regarding water quality and potential violations of the Clean Water Act:

Our scoping comments identifying key issues for analysis referenced logging effects to forest moisture retention, effects to Threatened and Sensitive fish species viability, and specific project hydrologic effects from logging and roading to streams and rivers:
Key issues for detailed analysis that needs to be made available for public comment include the following: potential detrimental soil impacts; project contributions to climate change effects; implications of extreme climate change for forest carbon storage and sequestration and for needing protection of well- connected intact wildlife habitat; potential impacts to Threatened-

listed fish species; potential effects to Management Indicator species and to Sensitive wildlife species; effects to Sensitive and rare plants; effects to forest moisture retention from commercial logging of moist mixed conifer forest; effects to keystone and rare predators such as Pacific fisher, Canada lynx, Gray wolf, American marten, and wolverine; hydrologic effects of logging and roading to project area streams and downstream rivers; effects to recreational uses and scenic quality in the project area, etc.

The Clean Water Act covers protection of water quality and by extension, water availability. Our comments on new information in the EA covered Clean Water Act issues with comments on EA pages 66, 73, 79, and 80, and hydrology in particular on EA pages 68 and 69. Some sample comments supporting our objection under the Clean Water Act follow. Relevant comment quotes to Clean Water Act violations appear immediately above under Endangered Species Act Violations for comments regarding Clean Water Act violations on EA pages 73 and 80, with the comments from pp. 73 and 80 quoted again below:

"There are huge gaps in stream survey data, making stream water quality and riparian management objective trends impossible to determine....These are 15 and 22 year gaps in survey data for the North Fork Umatilla River and Pedro Creek. Why is there no stream survey data for Phillips Creek (which has Steelhead spawning and salmon and trout rearing and migration habitat), or for Buck Creek, Johnson Creek, Swamp Creek, and Lake Creek (Bull trout spawning and rearing) and all these creeks' tributaries? These are listed fish species with Critical Habitat designations under the ESA! Lack of monitoring means lack of protection." (comments on EA p. 73)

"Since there is an acknowledged backlog of road maintenance that hasn't been done and so-called 'temporary' roads are rarely fully decommissioned and are often re-opened for the next timber sale, the assurances on EA p. 79, 2nd to last par., are not reassuring as to reducing road-related sediment 'during the longer term.' Project design features do not guarantee significant reduction of sedimentation, especially in the context of re-opening and re-using closed roads and constructing new 'temporary' roads, as the roads are the primary sources of long-term sedimentation. Channelized sedimentation from hydrologically connected roads is still a significant risk even with the PACFISH RHCA buffers in place—especially in the context of severe storm events which are definitely increasing under current extreme climate change. This is inadequate analysis for sedimentation effects. Effects to fish from sedimentation as opposed to impacts to stream morphology are not analyzed or quantified in the cumulative effects analysis although 'Existing roads...increase the risk of sedimentation of streams.' The limited cumulative effects section for fish fails to consider possible cumulative effects for sedimentation, which is not prevented by the area remaining under the ECA threshold." (comments on EA p. 80)

"Management does not have to occur within the 'bankfull' channel to affect pools per mile, width to depth ratio or sedimentation. Sedimentation can come from haul roads....and depth of water can be reduced by overall drying effects of forest cover removal"—which would increase stream temperatures to levels potentially violating Clean Water Act standards. (from comments on EA p. 79) "There is no quantification of sediment loading from all the proposed management actions and no quantification of how much sediment loading would be 'minimized' and what the net amount of sediment loading would be, rendering the analysis ambiguous and vague as to potential sedimentation effects." (further comments written on EA p. 79)

"Re-opening of currently closed—and in some cases, overgrown—roads and construction of 'temporary' new roads would definitely have potential negative effects to hydrologic functioning under both alternatives, despite the unjustified claim to the contrary on EA p. 68, par. 1. These effects need to be disclosed, quantified, and analyzed as to outcomes to water quality, stream channels, and aquatic species such as listed fish species." (EA comment on p. 68)

Resolution
*Drop all commercial logging on steep slopes, including those that would require yarding or helicopter logging. See our survey sheets for guidance.
*Drop all use of heavy equipment use in the RHCAs except to replace inadequate culverts under open roads.
*Drop all re-opening of closed roads and construction of 'temporary' roads within, or adjacent to, RHCAs.
*Drop any planned logging equipment stream crossings.
*Fully decommission all roads within RHCAs.
*Buffer all riparian areas with PACFISH buffers. We identified riparian areas in commercial logging sale units that were not on the sale map. See our survey sheets for guidance under "Riparian description".

Inadequate Analysis and Mitigation Regarding Effects to Climate Change

Once again, the Forest Service fails to accept responsibility for their increasing contributions to climate change through the increasing scale and pace of incremental deforestation and carbon storage reduction through repeated timber sales at an accelerated pace and scale, including the High Buck timber sale. See our sample related comments below. Our scoping comments referenced climate change as a key issue for detailed analysis:

The NPA Purpose and Need rationale fails to consider that current extreme climate change (aka global warming) by definition poses potential uncharacteristic levels and severity of insects, disease, wildfires, and drought. Climate change effects are not reduced or stopped by more logging of mature trees and more prescribed burning but are aggravated by such management. Commercial logging of mature trees and associated hazard tree felling and burning removes considerable amounts of existing carbon sequestration (from live trees) and carbon storage from live trees, snags and logs that would otherwise help reduce climate change effects. Commercial logging, road work, and various types of biomass reduction with burning would emit Carbon dioxide, a Greenhouse gas that local and state governments are trying to reduce in emissions across the country. There is no mention in the Notice of Proposed Action of climate change, even though it should be a key issue for detailed analysis as the biggest global crisis of our time, exceeding the effects and longevity of the Covid-19 Corona virus pandemic. Climate change cannot be ignored.

Our comments regarding new information about climate change in the EA include comments on EA pages: 11, 19, 22, and 81. For example:

"NEPA requires detailed analysis of potential effects to avoid, prevent, or sufficiently mitigate negative effects. The absurdly truncated "resource effects disclosures" of only one short paragraph for 'climate' (change) and 'roads' effects do not meet NEPA standards for adequate analysis. The 'climate' disclosure is blatantly biased, failing to recognize that climate change is

caused by incremental, relatively small contributions of Greenhouse gases, that incremental deforestation through extensive and intensive logging still represents a cumulative huge loss of forest carbon sequestration when perpetrated by a national government agency across the country, that atmospheric Greenhouse gas concentrations are not just a 'temporary influence' but can lock in extreme climate changes for as long as 300 years in the case of CO2 emissions, and the forest takes a century or more to grow back to the state of maturity and tree size prior to logging. Thus the Forest Service timber sale program is not consistent with internationally recognized climate change adaptation and mitigation. The Climate Change Effects appendix is biased in the same ways." (comments, EA p. 81)

Resolution

BMBP has often commented regarding Forest Service failure to acknowledge and mitigate their contributions to catastrophic climate change through their increased intensity and scale of commercial logging to unsustainable levels in multiple large timber sales, including the High Buck project.

To resolve this problem, the Forest Service needs to make the following modifications to the High Buck project, as suggested in other proposed resolution remedies above:

* Significantly decrease the geographic scale of the High Buck project commercial logging of mature trees or, preferably, eliminate all planned commercial size logging.
* Significantly decrease the intensity of planned commercial logging by leaving higher minimum and average basal area per acre and/or a lower cutting limit of up to 15" dbh.
* Retain all large tree structure, including snags, down wood, and large live conifer trees in all stands (equal to or greater than 21" dbh) to retain the most significant existing carbon storage and increase the biodiversity of the stands.
* Retain more mature trees to sequester carbon and become large trees by dropping the best wildlife habitat from logging as per our survey sheet recommendations.
*Retain more soil sequestration of carbon by dropping logging in sensitive soil areas and in sale units that would exceed Forest Plan detrimental soil impact standards, as specified above.

Thank you for your consideration of these objections. We look forward to meeting with you to work on a resolution to our concerns. Many other remedies for resolution were suggested throughout our comments.

Sincerely,

Karen L. Coulter, Director, Blue Mountains Biodiversity Project

[redacted]