



August 13, 2021

Rachel Smith
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Klamath National Forest
1711 South Main Street
Yreka, CA 96097

RE: Bear Country Environmental Assessment

Dear Klamath National Forest,

Thank you for accepting these comments regarding the Bear Country timber sale Environmental Assessment (EA) on behalf of the Klamath Siskiyou Wildlands Center (KS Wild). Please continue to send our organization hard copies of forthcoming documents regarding the project.

Please note that KS Wild is encouraged by and supportive of the agency's efforts to conduct small-diameter thinning and prescribed fire activities in this project area.

Our primary concern with the project involves the downgrading and removal of Northern spotted owl (NSO) Nesting, Roosting and Foraging (NRF) habitat within the Late Successional Reserve (LSR), within Northern spotted owl (NSO) critical habitat, and especially within "cores" of NSO activity centers.

We agree with and support the stated project objective on page 10 of the EA to "provide for late successional habitat characteristics to persist and continue to develop across the landscape in the long-term." Hence, we are perplexed that the timber sale will in fact remove 223 acres of nesting and roosting habitat and 700 acres of foraging habitat "in perpetuity." (EA page 84). Of the forests where this habitat will be permanently removed 160 acres of nesting and roosting habitat and over 320 acres of foraging habitat are located within the LSR. (EA page 84). Approximately 600 acres of the permanent NSO habitat removal are located within forest stands designated as "critical" to the survival and recovery of the species. (EA page 85). These represent significant, long-term adverse environmental impacts that are not restorative and that necessitate the completion of an EIS for this project.

Another important issue for our organization is the proposed removal of large diameter trees from the LSR. We agree with the stated objective on page 35 of the Bear Country EA to focus the project on the retention and promotion of the large tree forest component. The Forest Service is correct to state that “[l]arge old trees are more fire resistant in many species due to thicker bark and raised canopy base height, both of which protect against cambium and foliage damage.” (Bear Country EA, page 35). Yet page 52 of the EA indicates that the Forest Service intends to log large fire-resilient co-dominant trees located in late successional habitat. Such logging is counterproductive to the resiliency and restoration objectives of the Bear Country project. Logging, yarding and hauling existing late-successional old-growth trees does not reflect the stated intent of the Forest Service to retain and promote large trees.

Our understanding is that the Eddy Gulch, Thom Seider and Johnny O’Neil LSR projects all contained an upper diameter-limit such that large trees were retained rather than logged. Why is that not the case for the LSR logging proposed in the Bear Country project?

Late Successional Character

“The objective of Late-Successional Reserves is to protect and enhance conditions of late-successional and old-growth forest ecosystems, which serve as habitat for late-successional and old-growth related species including the northern spotted owl.”
-Northwest Forest Plan Standards and Guidelines C-9.

The impacts of removing large trees across the LSR (within the logging units and along roads) has not been adequately addressed in the EA. Instead, it is simply asserted that the loss of these large trees from proposed logging is not expected to impact the overall vegetation. In fact, loss of numerous snags and large trees may have a significant impact on the overall environment, including canopy, shade, and wildlife that is not quantified in the EA.

The late successional characteristic components in the LSR should be retained as directed by the Klamath LRMP and the NW Forest Plan. Loss of old growth habitat features in the reserve may result in a significant harm of an array of species.

Please attempt to meet snag and coarse woody debris (CWD) standards within actual LSR logging units as opposed to on the “landscape level.” Page 4-25 of the KNF Forest-wide Standards and Guidelines clearly directs the agency to “maintain 5 to 20 pieces of CWD *per acre* in various states of decay.” C-42 of the Northwest Forest Plan requires that “snags are to be retained *within the harvest units* at levels sufficient to support species of cavity-nesting birds at 40 percent of potential population levels.” Further, the soil mitigation measures are only effective if they retain CWD within acres that are actually subject to logging.

The importance of snags, down logs, and other coarse woody debris is also recognized in the agency's FEMAT (1993) scientific analysis. For example:

“Because of the important role of dead wood in late-successional and old-growth forest ecosystems, and because there is much to learn about the role of dead wood in the development of forests, only limited salvage is appropriate in Late-Successional Reserves . . . The Final Draft Recovery Plan [for the NSO] would allow removal of small-diameter snags and logs, but would also require retention of snags and logs likely to persist until the new stand begins to contribute significant quantities of coarse woody debris.”
-FEMAT 1993, p. IV-37

“Snags provide a variety of habitat benefits for a variety of wildlife species associated with late-successional forests. Accordingly, following stand-replacing disturbances, management should focus on retaining snags that are likely to persist until late-successional conditions have developed and the new stand is again producing large snags.”
-FEMAT 1993, p. III-37

The Klamath LRMP Forest-wide Standards and Guidelines 4-39 states:

“Maintain snag densities through the full timber rotation by providing green replacement trees to become snags of adequate signs. The size of snags and green trees to be retained within a given managed stand should be greater than the average diameter of the stand. Retain snags in clumps when possible...Retain snags with the largest DBH as they tend to last longer and make the best wildlife habitat.”

Late Successional Reserves

While our organizations support the intent of the proposed Bear Country project, we oppose the removal of NSO NRF habitat in the LSR. We believe that the purpose and need for this landscape level project can be met while also retaining canopy in the LSR that allows for the presence of late-successional associated wildlife species.

While we recognize that many of the NRF removal logging units are located on the top 1/3rd of slopes, please note that mature forest cover has always been an element of some ridgetop stand conditions and may be within the historic range of variability.

The NWFP establishes clear standards for silviculture in the LSR.

For Klamath Province LSRs, the Northwest Forest Plan directs, “[s]ilvicultural activities aimed at reducing risk shall focus on younger stands in [LSRs]. The objective will be to accelerate development of late-successional conditions while making the future stand less susceptible to natural disturbances” (NWFP ROD p. C-13). Where the risk of major disturbance is very high, management activities should *still* focus on young stands, but activities are permitted in late-successional habitat if they: (1) would clearly result in greater assurance of long-term maintenance of habitat, (2) would clearly reduce risks of major disturbance, and (3) would not prevent the LSR from meeting its intended purpose. Therefore, any action in late-successional habitat must be justified with *demonstrated*

benefits to such habitat in order to comply with the NFP. These benefits must be “clear” from either the local analysis or from relevant scientific literature. Hence the proposal to remove over 900 acres of NSO NRF habitat in the LSR runs counter to the purpose of the land use allocation.

Please note that recently at page 3-70 of the nearby Eddy Gulch DEIS, the KNF acknowledged that “the Klamath LRMP specifies that LSRs are to be managed to maximize the amount of late-successional forest to a reasonably sustainable level...”

The permanent removal of 600 acres of NRF habitat considered “critical” to the survival and recovery of NSO does not meet the intent of the NSO Recovery Plan, the National Forest Management Act, the Endangered Species Act, the Klamath LRMP or the NW Forest Plan.

The Salmon River Community Wildfire Protection Plan

Page 7 of the Bear Country EA references the Salmon River Community Wildfire Protection Plan (CWPP). Our understanding is that the CWPP generally emphasizes retention of large diameter overstory trees and late-successional forest canopy cover. Unfortunately, it does not appear that the Bear Country timber sale contains either a diameter limit on logging or substantive protections designed to retain late-successional canopy cover in NRF habitat as envisioned in the CWPP.

Roadside Hazard Trees

Please note that the much of the project is located within the LSR land-use allocation and is within designated NSO critical habitat. Large down wood is a habitat characteristic of late-successional forests. Please retain all large (>20” dbh) hazard trees that are felled as hazard trees.

Endangered, Threatened and Sensitive Species

“Project areas should be surveyed for the presence of Sensitive species before project implementation. If surveys cannot be conducted, project areas should be assessed for the presence and condition of Sensitive species habitat.”
KNF LRMP at 4-23.

“Management activities shall be compatible with the recovery of Endangered, Threatened (E&T) plants and animals.”
KNF LRMP at 4-36.

“Collect information on Sensitive Species to assess population distribution and habitat associations...Inventory a portion of the suitable habitat each year. Assess conditions at occupied sites. Based on the assessment, use appropriate management techniques to maintain or enhance habitat suitability.”

KNF LRMP at 4-38.

The KNF must “seek to conserve E&T species and shall utilize its authorities in furtherance of the Endangered Species Act.
FSM 2670.11

Pacific Fishers

The Bear Country timber sale EA contains very little information or management goals regarding Pacific fisher. We are concerned that proposed large tree and canopy removal logging and may contribute to the need to list the species under the ESA.

Although the Pacific fisher is not currently listed as an endangered or threatened species under the ESA, the FWS 2020 Final Listing Rule to remove protections for the fisher is arbitrary and capricious because the FWS withdrew the proposed listing of the West Coast population of the fisher without providing a rational connection between facts found and the choice made, the FWS ignored the fact that the West Coast population of fisher is threatened or endangered in a significant portion of its range, and the FWS failed to consider and apply the best available science indicating the serious threats faced by the West Coast population of the fisher. **The attached Notice of Intent** provides more detail concerning protection for the fisher.

If the KNF intends to remove, rather than retain, Pacific fisher habitat in the LSR then an EIS must be prepared for the Bear Country project.

2021 Fire Season: Cumulative Impacts and Changed Circumstances

It appears that the Bear Country project area has been subject to wildfires during the 2021 fire season and that these fires may be burning at various intensities with disparate impacts to wildlife, watersheds and forest habitat. The cumulative impacts of these fires on wildlife habitat, forest structure and fuel loading are not addressed in the Bear Country EA. These impacts may result in changed circumstances and environmental baselines that necessitate NEPA analysis of the cumulative impacts in conjunction with the proposed Bear Country logging. Additionally, the fire behavior exhibited in the 2021 fire season may call into question some of the assumptions and conclusions provided by the agency in the Bear Country EA.

Conclusion

KS Wild appreciates the efforts of Bear Country project planners to acknowledge and reduce the impacts of past logging and fire exclusion on forest composition and structure. We ask the KNF to take this opportunity to work with stakeholders to develop and implement restoration treatments that also retain large trees and spotted owl habitat in the LSR.

Sincerely,

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