

Objection to the Green Ridge Landscape Restoration Final EA

June 24, 2022

Submitted By: Maret Pajutee, [REDACTED]
[REDACTED]

Responsible Official: Ian Reid, Sisters Ranger District, Deschutes National Forest

I am a retired Forest Service Ecologist and served 25 years on the Sisters Ranger District. I retired in 2016. At one time I was the co-Team leader on the Green Ridge Landscape Restoration project and the Team leader for Lower Metolius Watershed Analysis covering the area. I also served on the USFS National Collaboration Cadre from 2014-2020, working with National Forests across the country on a range of topics from Forest Plan Revision, to improving internal and external relationships, to building public engagement to support the USFS Mission.

This is basically a good project and I know the care and thought that went into the planning that dragged out for so many years as Green Ridge burned in a series of wildfires that have plagued the District since 2002. I say "I still ride for the Brand (USFS)" and have trouble not saying "We" when I talk about the Forest Service. My team mates at Sisters, our Ranger, partners, and I invested many years in seeing the Sisters Ranger District be successful, trusted, transparent, and collaborative.

My objection concerns 1) NEPA Process and 2) Missing Issue/Response to Tree size issue.

Concerns about Process. NEPA at its best is full consideration, disclosure, and a documentation process with a goal of transparency and accessibility by the audience and the stakeholders of the project.

I submitted comments on the Draft EA to the designated web address within the designated timeframe and received a confirmation my comments were received on 11/20/2021. When the Draft decision and response to comments were released, I did not get a copy. I notified the designated contact and she sent them out again to me and others that were somehow missed.

I was curious to see how the District responded to my concerns and found they hadn't. There was a disclaimer that some redundant comments were omitted from the response. I contacted the designated contact again to ask where in the document they responded to my comments and got no response. This made me wonder if they had read them. After many years as an IDT Team Leader and EA writer this seemed like a vulnerable NEPA oversight. I wondered if this had happened to others and how that might affect the District's credibility, future social license for

forest management, and the trust in transparency and ethics that we worked so hard to rebuild after years of timber wars.

The specific location of the Response to Comments was not spelled out in the notifying letter. I had to ask. It was difficult to find, as it was the very last appendix in the Final EA. Unfortunately, this sends a subtle message about how important public involvement is to planning on public lands.

2) Missing identification of issue/Response to Tree size issue.

Despite calls for a diameter limits in scoping responses, and concerns about which large trees might be cut, the Draft and Final EA do not identify the size of trees cut as an issue. In the draft EA, it states on page 26 that scoping responses indicted a desire for diameter limits and deals with this only as a "Alternative Considered But Not Analyzed in Detail". This was not interpreted by the IDT as an issue about the size of trees cut, the EA simply dismissed suggestions for a 21" dbh limit as "arbitrary".

The Decision Notice is silent on the topic under Public Involvement and Scoping and the FONSI on pg 13 does not mention cut tree size as an issue. No mitigation for the concern is offered.

The harvest of larger, older trees has been THE main controversy surrounding Forest Management in Sisters and elsewhere for many years. There is often fear that the USFS will "sweeten the pot" by sneaking in some large trees to improve economics. And it still happens.

Recently this issue blew up again, locally, on the Deschutes NF /Bend RD /West Bend project, where despite close involvement and guidelines from the Deschutes Collaborative, large ponderosa pine over 21" were cut along a popular bike trail. The USFS said they were not old growth, the silvicultural Rx discriminated against forked top trees, and they were found accidentally by public. This rocked the Deschutes Forest Collaborative, inspired petitions and ads about the USFS cutting big trees again. It's also a National issue with President Bidens Executive Order on Old growth inventory and protection; and the new lawsuit brought by conservation groups over the dismissal of the 21" dbh limit on the Eastside. It is a socially controversial topic that haunts nearly every Forest management project.

In 2008, we finally cracked through a decade of appeals and litigation on Sisters with the Glaze Forest Restoration Project, partnering with Tim Lillebo of Oregon Wild and Cal Mukumoto (Confederated Tribes of Warm Springs, now Oregon State Forester). We used transparency and public reviews of proposed marking, and the ability for people to discuss concerns after marking for consideration of the Ranger. It worked. It was the first project producing commercial products not appealed or litigated in Sisters in 13 years.

My comments on the Draft EA disputed that the 21" dbh limit was "arbitrary". I noted that every Watershed Analysis ever done on the Sisters RD since 1996 notes the same trend for trees over 21" dbh in our pine or mixed conifer forests landscapes. The reason the 21" dbh threshold was used is because that is how data was gathered by size class. This is real data

describing tree size on the landscape. And the data shows that trees that measure over 21" dbh are now far fewer than in 1953 or historically. Less than 10% of large tree dominated areas remain on Sisters RD. The story in each analysis is the same. I cited Sisters District Watershed Analysis data by page number which supported my point.

People ask for diameter limits out of fear, and the USFS fights against diameter limits for political reasons, not science-based reasons. The District draws suspicion and fear by ignoring the concern and loses the opportunity for mitigation, especially if few trees over 21" dbh will be cut. When a sensitive issue like this is transparently disclosed, the Agency and concerned public can work together to find common interests, be responsive, and get more done.

I suggested remedies that had been locally successful in mitigating this concern and build trust with this project as a promise for continued social license in the future. As noted, my comments and suggestions were not addressed or mentioned in the Response to Comments.

3) **Remedies:** As a remedies to my objection I request the following:

- 1) **Transparency-** Make it easier for people to navigate voluminous analysis documents. Provide a road map in overview letters to where Responses to Comments can be found. Consider moving it from the back of the Appendix to a more prominent location.
- 2) **Inclusiveness-** Address all relevant comments, or at least acknowledge people whose comments were identified as redundant. This could be a simple list of commenters initials on the specific response so people know their comments were read and considered and the District's response can be found in that section.
- 3) **Include Size of Trees Cut as an issue-** Ignoring the elephant in the room erodes trust and credibility.
- 4) **Mitigation for Tree size issue-** Identify in Decision Notice the specific criteria that will be applied when trees over 21" must be cut. The current DN uses vague words like "intent" and "where possible" on pg 2 to address the retention of larger more fire-resistant trees.
- 5) **Mitigation for Tree size issue -**Offer public field review and discussion opportunity of a typical example of a marked unit where trees over 21" are marked for removal to further trust, reinforce social license, and educate public on restoration goals.
- 6) **Mitigation for Tree size issue -**Offer tallies to concerned public and the Deschutes Collaborative of how many trees over 21", especially ponderosa pine, were marked to be cut. If this is a rare exception, it should not be too onerous and will help build trust in restoration theory and practice.

I hope Sisters RD can reengage with the importance of transparency and responsiveness to the big tree issue and avoid the waste and frustration of relentless litigation while there is so much important restoration work to be done.

Thank you, Maret Pajutee

Maret Pajutee

6/24/2022