July 18, 2022

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VIA: https://cara.fs2c.usda.gov/Public//CommentInput?Project=61749

RE: 2020 Fire Affected Road System Risk Reduction EA

Please accept the following comments on behalf of Cascadia Wildlands, Oregon Wild, and Willamette Riverkeeper concerning the 2020 Fire Affected Road System Risk Reduction Proposal Environmental Analysis, https://www.fs.usda.gov/project/?project=61749. Cascadia Wildlands represents 12,000 members and supporters. Working to defend and restore Cascadia's wild ecosystems in the forests, in the courts, and in the streets, we envision vast old-growth forests, rivers full of wild salmon, wolves howling in the backcountry, a stable climate, and vibrant communities sustained by the unique landscapes of the Cascadia bioregion. Oregon Wild represents 20,000 members and supporters who share our mission to protect and restore Oregon's wildlands, wildlife, and water as an enduring legacy. Willamette Riverkeeper has approximately 2,500 members who live, work, visit, recreate, and enjoy the Willamette River Basin, including in the waters of the Holiday Farm Fire, Beachie Creek Fire, and Lions Head Fire areas. They believe a river with excellent water quality, abundant natural habitat, safe for fishing and recreation is a basic public right.

Thank you for preparing this full Environmental Analysis (EA). This is a significant and complex project that poses many difficult decisions regarding where and whether to remove danger trees or whether to retain the ecological values associated with natural disturbance and recovery. As such, we have steadfastly advocated for a site-specific, conservative approach to roadside hazard tree removal. In considering out input, both from our scoping comments, which we incorporate here by reference, and in conversations with Forest Service staff, we are pleased with and grateful for the efforts the Forest Service has taken to incorporate public input into this project design and reduce the proposed treatment area. However, we must note that the breadth of the analysis pales in comparison to that of the Mt. Hood National Forest's Roadside Danger Tree Environmental Assessment.[1]

We appreciate that modifications were made to the project design in response to our input to refrain from unnecessarily logging along remote spur roads, prioritize retaining trees on the landscape to support wildlife habitat and climate resilience, avoid road construction, and

[1] US Forest Service, Clackamas Fires Roadside Danger Tree Environmental Assessment, 2022, available at https://www.fs.usda.gov/detail/mthood/fire/?cid=fseprd937474.

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minimize unnecessary damage from heavy equipment. Protecting public safety is of the utmost importance; so is taking a conservative approach to post-fire logging and allowing the forest to recover so that these publicly-owned landscapes may thrive for generations to come.

Project Description

The project pertains to fire-killed and injured trees along 253 miles (or 46%) of roads within the 2020 fire-affected road system where there is moderate, high, or mixed tree mortality. EA at 10, 11. The proposed treatment area includes about 4,450 acres of lands adjacent to these roads where trees are expected to be fallen, including about 1,300 acres within riparian reserves. The Forest Service estimates that 15.8 million trees are dead or dying within the analysis area due to the 2020 fires, approximately 283,000 or 1.8% of which would be cut under the current proposal. EA at 36. Reasons for treatment include but are not limited to communication site access, priority road status, Tribal access, private access, fire suppression, research needs, or access to timber sales. EA Appendix C.

Project Implementation

We first want to restate that several of the guidance documents that form the basis of this proposal (Region 6 Danger Tree Policy Guidelines, Filip, Hood, and the *Willamette Road Investment Strategy*) have not undergone National Environmental Policy Act (NEPA) analysis. Though apparently unaddressed in the draft EA, our concerns remain that members of the public, Tribes, other agencies, and other interested parties never had the opportunity to review and provide feedback on the danger tree criteria that forms the basis for the proposal. Whether or not the criteria accurately predict that trees actually pose a hazard risk has never been vetted in accordance with NEPA's procedural safeguards. The Forest Service must take a hard look at the consequences of using these guidelines under NEPA.

In regard to project implementation of the criteria, the EA states the following:

- *"To determine which trees would be felled, Forest Service specialists, including Forest silviculturists and Regional entomologists and pathologists, consulted the Region 6 Danger Tree Policy Guidelines and created project specific tree selection criteria. In addition, they consulted the 2020 Post-fire Assessment of Tree Status and Marking Guidelines for Conifer in Oregon and Washington to better address delayed mortality along the roads."* EA at 11.
- *"Implementation of the project is expected to use an Integrated Resource Service Contract, although other implementation methods may be used."* EA at 37.
- *"Trees identified by a qualified danger tree Forest Service specialist and painted with Blue, Yellow, or Green Tracer paint are identified to be cut."* Appendix B, Tree Selection Criteria #4.

We wish to see greater explanations of the contracting arrangements and, ultimately, strong assurances that the Forest Service specialists will be the officials marking the trees. We fear that allowing contracted timber companies to mark the boundaries for danger tree removal might result in overbroad marking due to a financial incentive to generously interpret the hazard tree criteria. Will marking executed by contracted parties be double checked by agency scientific experts? Will contracted parties be required to complete tree risk assessment training or certification? How will the agency ensure that the criteria are properly followed? Commercial sale of hazard trees should be limited, because there are economic conflicts of interest that could lead to ecologically important large trees being removed for the wrong reasons. The total value of large trees for ecosystem services such as carbon storage and habitat vastly exceeds the value of wood products.[2]

Further, Forest Service staff indicated that the proposal does not include roads that may be needed for future/potential forest management proposals, only roads that provide access for current/known projects access. The EA states: *"There are other ongoing or upcoming projects with foreseeable actions that would overlap the analysis area of this project. These include the Divide, Dry Beard, Forest-wide Planting, Hazard Tree Removal at Developed Sites project, as well as work done by partners such as PGE (Portland General Electric) for them to safely access their rights of way or land bases within the Forest. The last two of these projects may authorize the removal of fire-killed or injured trees. For ongoing projects that do not specifically address or authorize fire-killed or injured tree removal, this project would address that need along roads that access these projects so that field work to assess, plan, and implement those projects may continue."* Please confirm and clarify in the final EA that this only refers to foreseeable actions, not any speculative future management.

Finally, the EA states that *"Essential reforestation will occur in locations where intense burn has necessitated the removal of most of the overstory next to the road to remove hazards (authorized by the Planting 2020 Fires project CE). Within Riparian Reserves, this tree planting will be done at slightly lower densities near 150 trees per acre to simulate natural conditions."* EA at 115. Replanting has the potential to create hazardous fuel conditions and truncate development of a desired complex early seral forest. In areas where replanting is deemed necessary, replant diverse species in patches, at low density, far from existing seed sources, and without chemical spraying. Maintaining vegetation diversity post-fire, by not replanting conifers to avoid creating high hazard fuel conditions and minimize impacts to summer stream flows, is a key form of climate adaptation.

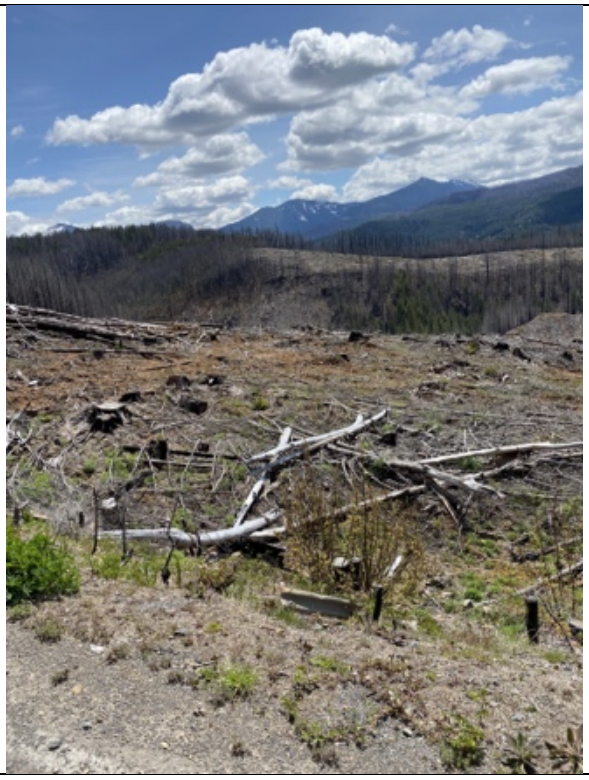
Site-Specific Comments

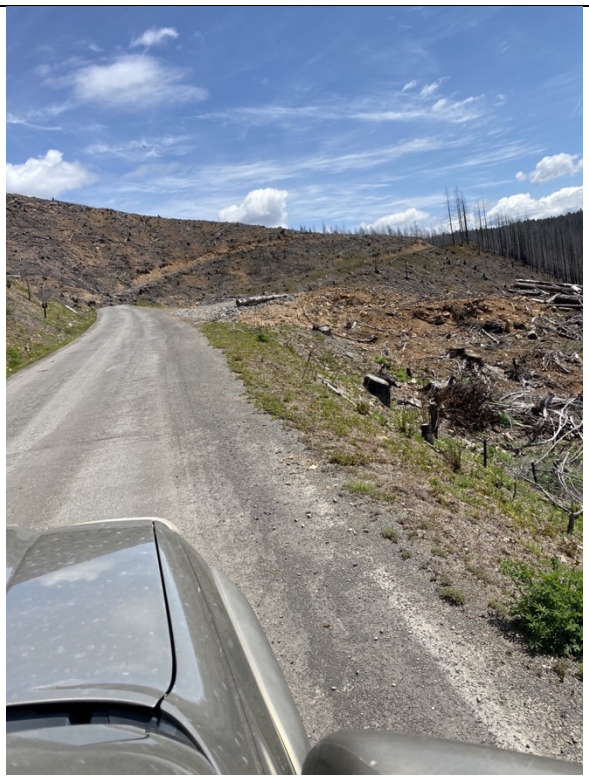
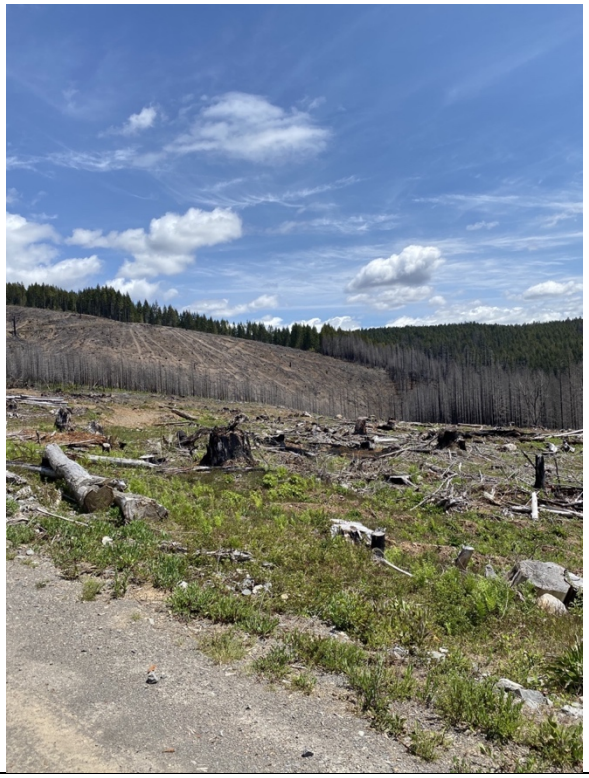
While the FS has been forthcoming with its plans, capacity, and staff limitations regarding site-specific evaluation, we are concerned that the Forest Service's either inability or failure to visit greater portions of the proposed treatment areas prior to the release of this EA mean the proposal may still be overbroad. For example, when visiting fire-affected roads in the proposed treatment

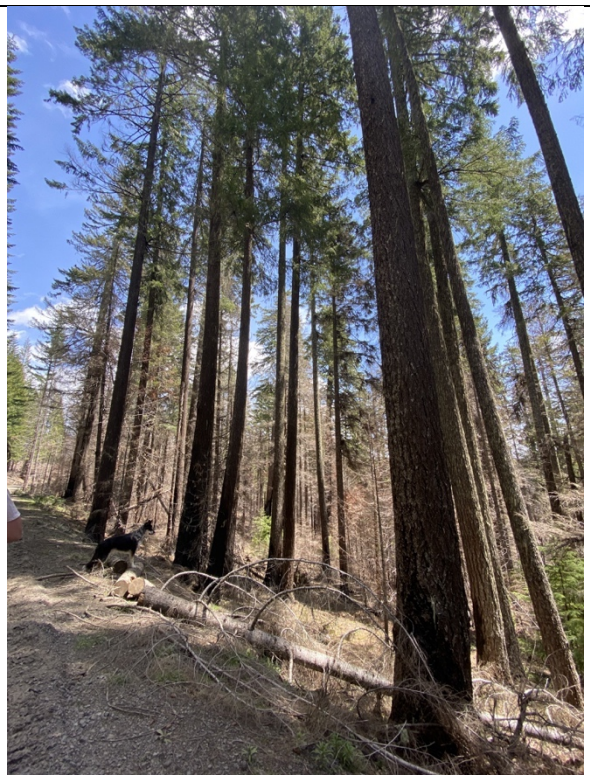
[2] Bradbury, R.B., Butchart, S.H.M., Fisher, B. et al. The economic consequences of conserving or restoring sites for nature. Nat Sustain (2021). https://doi.org/10.1038/s41893-021-00692-9. https://rdcu.be/cgpdK

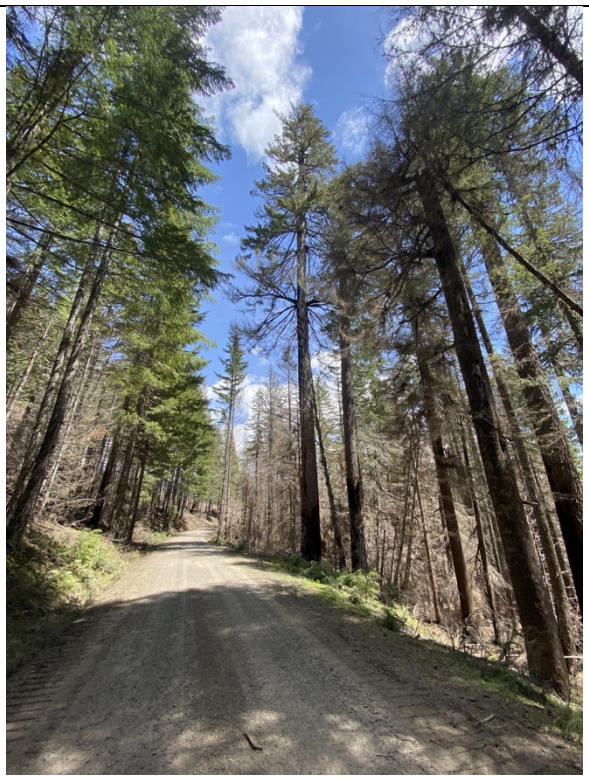
area of the Detroit District, privately-owned units along one FS road proposed for treatment were already cut last summer (adjacent to FS 2233 between spur roads 515 and 626). There is clearly no need for this road to be included in the proposal—please ensure it and any other similar oversights are removed. Additional road-specific comments and images for areas Lionshead Fire area are below.

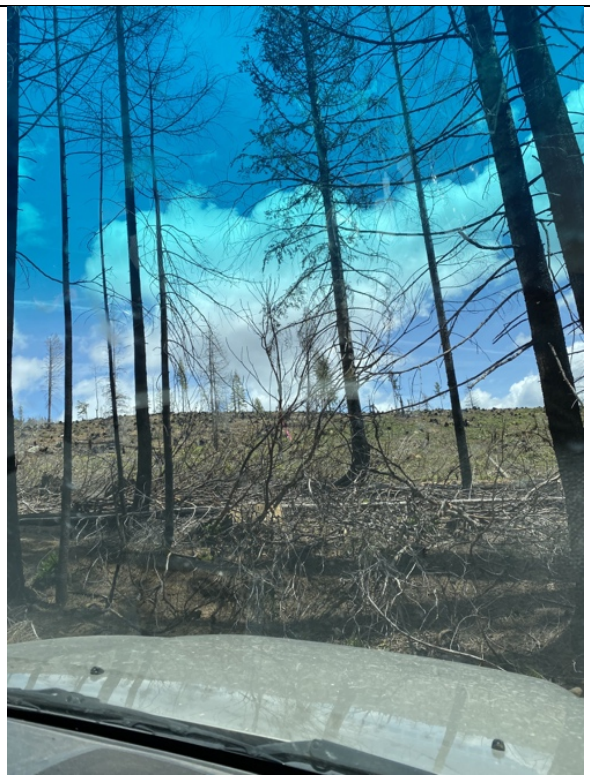
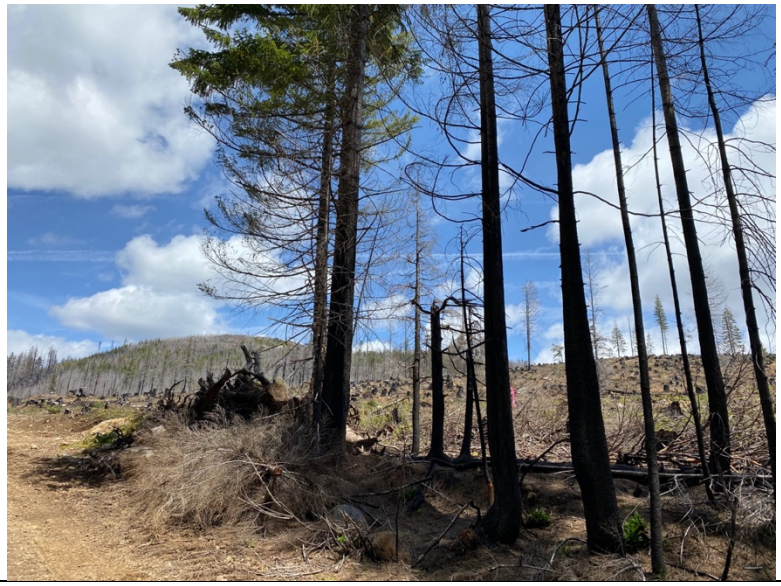
Lionshead Fire Area

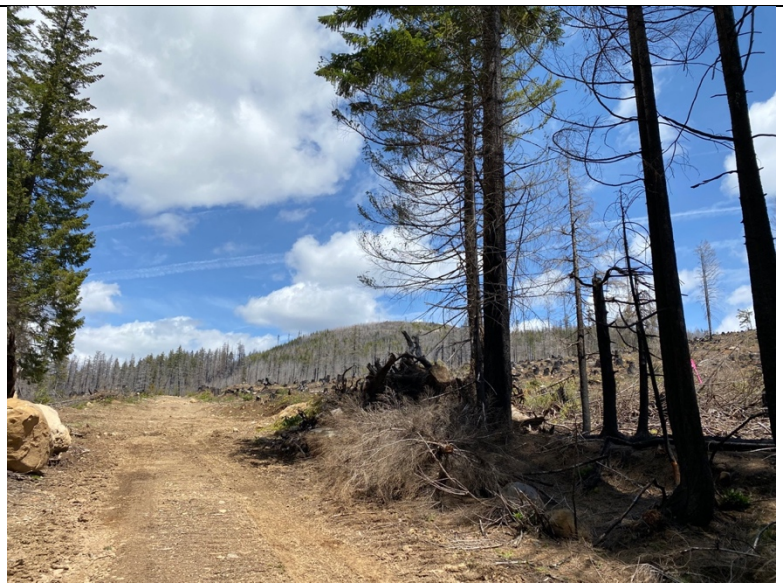
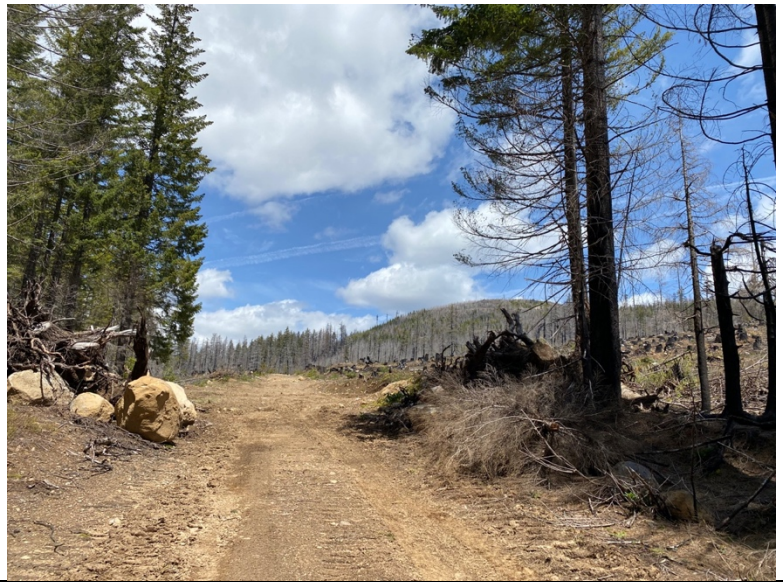
Road Number	Comment	Images
2231000	Road passes through high severity fire area. The forest here has already been clearcut and should be removed from the project area.	

2231810	Little to no tree mortality. The Forest Services should drastically limit tree removal on this stretch and those similar to it.	 

2231518	Spur road leading into high severity area that has already been cut. The reason for tree removal is suppression access, but most of the trees have already been taken down. This road should not be treated and closed instead.	 

4685310	Much of this stretch of road burned at a high severity. Trees within proximity to the road should be felled and left in the forest to maintain ecological benefits of high severity fire.	 

Climate Change Impacts and Analysis

Climate change acts as a primary driver of the increasing wildfires that threaten our communities and our forests, as well as adding significant uncertainty to our ability to conserve and restore our last remaining old growth forests. On April 22, 2022, President Biden issued an executive order (EO) declaring a policy to conserve mature and old growth forests on federal land and to manage forests to retain and enhance carbon storage. The EO states:

> Sec. 1. Policy.
> Strengthening America's forests, which are home to cherished expanses of mature and old-growth forests on Federal lands, is critical to the health, prosperity, and resilience of our communities …. Forests provide clean air and water, sustain the plant and animal life fundamental to combating the global climate and biodiversity crises, and hold special importance to Tribal Nations. … Conserving old-growth and mature forests on Federal lands … is critical to protecting these and other ecosystem services provided by those forests. … We can and must take action to conserve, restore, reforest, and manage our magnificent forests … It is the policy of my Administration, … to … conserve America's mature and old-growth forests on Federal lands …
> …
> Sec. 2. Restoring and Conserving the Nation's Forests, Including Mature and Old-Growth Forests.
> My Administration will manage forests on Federal lands, which include many mature and old-growth forests, to promote their continued health and resilience; retain and enhance carbon storage; conserve biodiversity …[3]

The EO also calls for an inventory of mature and old growth on federally managed public land, an analysis of threats to mature and old growth forests, and development of policies to address those threats. Federal agencies making decisions about public forest management do not need to wait for these steps to take action to protect valuable forest habitat. The Forest Service should incorporate this guiding policy into its analysis. The EA lists 1,260 acres of old growth (greater than 180 years old) in the treatment areas prior to the 2020 fires. EA at 35. It does not provide a total acreage for mature (81 to 189 years old) stands. The Forest Service must take great care to ensure these carbon-storing, wildfire-resilient mature and old growth stands are preserved.

The carbon sequestration and greenhouse gas sections of the EA are insufficient and fail to take the hard look at climate impacts that NEPA requires. The Forest Service must recognize the cumulative nature of the GHG emissions and climate problems. It does not matter that this project is small in the global scheme because all emissions matter when the causation is global and cumulative. It is thus inappropriate to jump to the conclusion that the project's contributions to global GHG are negligible because of the project scale and the difficulty in determining direct

[3] Executive Order on Strengthening the Nation's Forests, Communities, and Local Economies, April 22, 2022, Presidential Actions, https://www.whitehouse.gov/briefing-room/presidential-actions/2022/04/22/executive-order-on-strengthening-the-nations-forests-communities-and-local-economies/.

and indirect effects of the project on global climate. EA at 27. The agency must remedy this insufficiency in the final EA by analyzing greenhouse gas contributions and carbon sequestration potential associated with this project.

Dead Wood and Snag Habitat

After fire, agencies should manage to retain as much old forest structure and function as possible, including all large trees and snags. Converting burned forests to plantations lacking significant dead wood structure promotes a homogenous forest type that is already vastly over-represented in western Oregon and one that poses a significant fire hazard for communities and remaining mature and old growth forests. Species diverse forests can more securely store carbon and are expected to be better able to tolerate and adapt to climate extremes and disturbance.

In this proposal, the Forest Service commits to maintaining snag habitat at or above the median reference (historical) conditions, stating snag levels following the 2020 fires exceed the reference. Downed wood levels following the fires have not been estimated but the EA states it "would not be limited for wildlife or affect the viability for cavity excavators or deadwood dependent species." EA at 72. We caution that while fires create an apparent abundance of snags, that is misleading because snags are ephemeral; the abundance of snags is short-lived and hides the fact that after those snags fall down, there will be a long-term shortage of snags that lasts until large trees regrow.[4] Heavy-handed post-fire logging would exacerbate the expected shortage of snags. It would be most beneficial to retain all large wood to mitigate the shortage of snag habitat and for long-term ecological benefits and carbon storage.

Please ensure that the commitments to retain at least 7 to 10 of the largest diameter logs per acre in the fuel treatment area within 100 feet of the road, shorter snags and snags leaning away from the road within that area, and snags and downed logs more than 100 feet from the road remain in the final project design.

Water Quality Impacts

The Forest Service must exercise great care in project planning and implementation to ensure impacts to aquatic resources and Riparian Reserves are minimized. The EA states that "[p]erhaps the most immediate concern of fire effects to fish species post-fire is that of sediment delivery and temperature increases within the stream network." EA at 58. Temperatures in the 40.7 miles of streams located in project area could increase by as much as 3.7 degrees Celsius. Id. This dramatic increase would spell disaster for fish species like Endangered Species Act (ESA)-listed Upper Willamette Spring Chinook, Bull Trout, and Upper Willamette Winter Steelhead that need cold water refugia to survive. The worst-case scenario estimates that 370 cubic yards of sediment could enter the project's stream network as a result of ditch cleaning, removal of wood

[4] Letter from conservation groups to Willamette National Forest and other federal forest managers in wake of 2020 wildfires highlighting the value of natural recovery processes after wildfires, the potential for significant environmental effects from post-fire management, and the need for careful management of fire-affected forests., November 9, 2020 (on file with authors).

obstructing ditches and culverts, timber hauling, replacement of about 20 culverts, and road reconstruction. EA at 62. Tree retention, especially in Riparian Reserves, targeted and limited road maintenance with seasonal limitations, and placement of woody material in streams must continue to be a priority for this project. Please ensure that the management directions to mitigate sediment introduction as much as possible remain in the final project design and that the Forest Service effectively monitors sedimentation throughout project implementation. The Forest Service should also consider preparing operation and maintenance criteria that govern road operation, maintenance, and management for this project and providing that in the final EA.

The EA discusses drinking water impacts on page 57. The North Santiam, Calapooia, and McKenzie municipal watersheds serve as the sources of drinking water for hundreds of thousands of people in Eugene, Salem, and communities throughout these river systems. Post-fire monitoring has shown source water temperature increases near the impacted community of Vida as well as increased levels of nitrate in the McKenzie River, while intake clogs or damage from high flows put other systems at risk. EA at 57. The EA later concludes that "[d]esign features are included in the project to minimize the impact of project activities to water quality so that there would be no effect to municipal water supplies as a result of this project." EA at 115. In order to meet this goal, the Forest Service must ensure that it works in conjunction with water treatment operations, providers, and users to monitor the success of mitigation measures and any other impacts to drinking water associated directly or indirectly with project implementation.

Road System, Risk, and Restoring Access

While decommissioning roads may be out of the scope of this project, it is directly related and worth the Forest Service's due consideration. USFS roads policies, including the road density targets in the Willamette LRMP and the requirements of the National Forest Roads Policy[5], highlight the following:

- The need to manage the roads system in an environmentally sensitive way that recognizes the important long-term biophysical value of snags and abundant dead wood;
- The need to identify and manage toward the minimum road system;
- The need for the FS to use an open, public roads analysis process to balance competing interests; and
- The need to focus maintenance treatments on highest use roads and to emphasize decommissioning of roads that are not used very often or have significant environmental trade-offs.

As recognized in the USFS Roads Policy, the agency should consider alternative means of managing hazards from falling trees, such as (1) minimizing human activities near hazard trees (i.e., closing roads)—this may not work where a hazard tree is adjacent to a high traffic road, but some little used roads can likely be closed; (2) topping trees so they are too short to reach the road when they fall; and (3) placing signs to warn people of the hazards so that people can

[5] USFS Road Management Policy, https://www.fs.usda.gov/nfs/11558/www/nepa/115185_FSPLT3_5597368.pdf.

evaluate the risks for themselves. Often the hazard is not from the tree falling directly on people but from cars colliding with trees that have previously fallen. This hazard can be mitigated with signage and speed limits, while allowing valuable wildlife trees to persist.

This approach makes sense both ecologically *and* economically. The USFS Roads Policy is an official recognition that the FS lacks funding to maintain its entire road system, and the Willamette NF has far more than its share of roads already. Letting roads close naturally where and when possible will reduce the number of roads in the road system along with the high, ongoing maintenance costs associated with them. Further, fire science supports a shift away from suppression tactics, meaning fewer roads will be necessary.

It is our understanding that the Forest Service is indeed making investments in signage to put up in Willamette NF to alert visitors to the risks inherent when entering burnt landscapes. Please continue to do so. Investing in education and awareness of post-fire forest risk *and natural recovery processes* is crucial to protecting public safety while maintaining ecological values, reducing the number of unnecessary roads, lowering related wildlife ignition risks, and bringing road maintenance costs and requirements into a manageable load for the Forest Service.

That said, it is imperative that the Forest Service expedite efforts to restore access to the vast majority of the forest for public use and enjoyment. All other forests that burned in the 2020 Labor Day fires have since reopened, and the delay in providing public access to the public forest you steward is hard to comprehend or justify. We urge you to solidify and share your plans to restore access to the forest as soon as possible.

Conclusion

Thank you again for your preparing a full environmental analysis for this large project and for taking our input into consideration. Please reach out with any questions about these comments.

Sincerely,

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