

October 16, 2022

Glenn Casamassa, Regional Forester, Reviewing Officer  
Attention: Objections, Forest Service Region 6  
1220 SW Third Avenue  
Portland, Oregon 97204

Submitted electronically via: <https://cara.fs2c.usda.gov/Public//CommentInput?Project=61749>

**Re: 2020 Fire Affected Road System Risk Reduction Project #61749**

**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.

**Name and Title of Responsible Official:**

Duane Bishop, Forest Supervisor  
USDA Forest Service  
Detroit, McKenzie River, and Sweet Home Ranger Districts  
Willamette National Forest  
Lane, Linn, and Marion Counties, Oregon

**Lead objector:**

Grace Brahler  
Cascadia Wildlands  
P.O. Box 10455  
Eugene, OR 97440  
541-434-1463  
[grace@cascwild.org](mailto:grace@cascwild.org)

**This objection is also on behalf of:**

Doug Heiken  
Oregon Wild  
P.O. Box 11648  
Eugene, OR 97440  
(541) 344-0675  
[dh@oregonwild.org](mailto:dh@oregonwild.org)

Travis Williams  
Willamette Riverkeeper  
P.O. Box 293  
Eugene, Oregon 97440  
(541) 870-7722  
[travis@willametteriverkeeper.org](mailto:travis@willametteriverkeeper.org)

### **Specific Issues Related to the Proposed Action:**

Cascadia Wildlands, Oregon Wild, and Willamette River Keeper (“Objectors”) respectfully submit these objections to the 2020 Fire Affected Road System Risk Reduction Project EA/DN/FONSI, issued 8/31/2022, by the Willamette National Forest, pursuant to 36 C.F.R. § 218.

#### **1. Interests and Participation of objecting parties.**

**Cascadia Wildlands** is a non-profit organization based in Eugene, Oregon, with approximately 12,000 members and supporters throughout the United States that defends and restores Cascadia’s wild ecosystems in the forests, in the courts, and in the streets. Cascadia Wildlands envisions vast old-growth forests, rivers full of salmon, wolves howling in the backcountry, and vibrant communities sustained by the unique landscapes of the Cascadia Bioregion. Cascadia Wildlands’ members have used and will continue to use the 2020 Fire Affected Road System Risk Reduction Project area for activities such as hiking, bird watching, and other recreational and professional pursuits.

**Oregon Wild** is a non-profit organization with approximately 20,000 members and supporters throughout the state of Oregon and the Pacific Northwest. Oregon Wild and its members are dedicated to protecting and restoring Oregon’s lands, wildlife, and waters as an enduring legacy. Oregon Wild members use the forest areas comprising the 2020 Fire Affected Road System Risk Reduction Project area for hiking, recreation, wildlife watching, nature appreciation, and other recreational pursuits.

**Willamette River Keeper** 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.

Pursuant to 36 C.F.R. § 218.5(a), these groups have submitted timely, project-specific written comments during scoping and additional designated comment periods designated for the 2020 Fire Affected Road System Risk Reduction Project, which we incorporate by reference.

#### **2. Issues of the decision to which objections apply**

Objectors acknowledge and appreciate that the Forest Service has modified the project proposal in response to 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 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. Despite these steps in the right direction, Objectors have outstanding concerns regarding the final proposal and project implementation, detailed below.

### **3. Objectors identified the following parts of the EA/DN/FONSI for objection.**

#### **a. Inadequate site-specific evaluation of proposed treatment areas**

NEPA's basic requirement to take a hard look and to use high quality information is violated where the EA provides inadequate analysis of the pertinent issues. The APA is violated where the decisions made run counter to or are unsupported by the facts that are available.

In their comments, Objectors expressed concern over the Forest Service's inability or failure to visit greater portions of the proposed treatment areas prior to the release of the EA. Thus, Objectors worried the proposal would remain overbroad as a result. In light of this concern, Objectors made it a point to visit the project area and provide photos of numerous roads proposed for logging within the Lionshead Fire Area along with commentary explaining why these roads should be removed from the proposal. For instance, a photo included in Objectors' comments showed that Road 223-1000 had already been logged. The accompanying comment reads: "Road passes through high severity fire area. The forest here has already been clearcut and should be removed from the project area." EA Comments at 4. Objectors provided similar demonstrative photographs and commentary for roads 223-1810, 223-1518, and 468-5310. According to the Final EA, all four of these roads remain in the project proposal. EA Appendix C at 95-98.

The purpose of the proposal is to remove fire-affected trees along the road system to reduce associated risks. Therefore, it is counterintuitive to propose treatments in areas that have either already been logged or that pose little to no threat to public safety. Especially because it is well established that dead wood and snag structures provide valuable habitat, as well as essential climate mitigation and adaptation benefits, the Forest Service should be extra cautious to log only where absolutely necessary to achieve project goals.

Objectors recognize that the Forest Service has been forthcoming with its plans, capacity, and staff limitations regarding site-specific evaluation. The law, however, demands that high quality information be used to make decisions supported by the available facts. Here, the facts show that numerous roads within the project proposal area do not actually require any treatment to achieve project goals. Consequently, Objectors request that the aforementioned roads be removed from the proposal.

#### **b. Failure to adequately consider the climate change impacts of the project**

It is the policy of the United States to conserve mature and old growth forests on federal land and to manage forests to retain and enhance carbon storage. President Biden's April 22, 2022, executive order makes this explicit, stating:

## 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 ...<sup>1</sup>

In their comments, Objectors identified the insufficiency of the carbon sequestration and greenhouse gas (GHG) sections of the EA. Objectors also identified the Forest Service's failure to take a hard look at climate impacts as NEPA requires. Objectors noted in scoping the project's potential climate impacts related to dead wood and snags, species diversity, watershed stability, weeds, habitat fragmentation, etc. Objectors additionally noted that, "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." Objectors' Comments on Draft EA at 12.

In the final EA, the Forest Service does not seem to have taken Objectors' comments into account whatsoever. The agency's discussions of carbon sequestration and GHG remain extremely lacking. The Forest Service failed to provide additional information regarding mature forests and their ability to sequester carbon or consider cumulative impacts of post-fire logging of any degree. Instead, it writes off the effects of the proposed project on global GHG emissions as negligible, citing narrowly to GHG emissions from machinery, because of the project scale and claimed difficulty in determining direct and indirect effects of the project on global climate. EA at 27. This is inconsistent with President Biden's executive order to manage mature and old-growth forests as a natural climate solution.

The Forest Service must recognize the cumulative nature of GHG emissions and climate implications. The agency must remedy this insufficiency by legitimately analyzing greenhouse gas contributions and impacts to carbon sequestration potential associated with this project.

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<sup>1</sup> 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/>.

**c. Weaknesses related to project implementation**

Finally, Objectors expressed concerns regarding project implementation, which have not been adequately addressed by the Forest Service.

Objectors requested “to see greater explanations of the contracting arrangements and, ultimately, strong assurances that the Forest Service specialists will be the officials marking the trees.”

Objectors’ Comments on Draft EA at 3. In response, the FONSI states:

“These species-specific criteria will be used for project implementation regardless of who is completing the work. Forest Service specialists and contract administrators will monitor implementation to ensure adherence to the criteria.”

FONSI at 5. While we appreciate the acknowledgement of our concern, the Forest Service has failed to address the financial bias that could result from contractors marking trees as opposed to agency specialists. The Forest Service must specify that the entity who determines what trees are to be cut should not have a financial relationship to that decision. If a contract benefits from working felled trees, the contractor should not be responsible for determining what to fell. All potential for bias on cutting decisions should be eliminated.

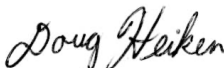
Objectors also commented on the need to ensure drinking water impacts are minimized during and following project implementation. Objectors said: “[T]he Forest Service must ensure that it works in conjunction with water treatment operations, providers, and users to monitor the success of mitigation measures and any other impacts to drinking water associated directly or indirectly with project implementation.” Objectors’ Comments on Draft EA at 14. This information has not been provided; the Forest Service instead assumed the project would have negligible impacts to water quality. FONSI at 7. Objectors expressed concerns regarding post-fire water monitoring that showed water temperature increases, elevated levels of nitrogen, and intake clogs or damage. Objectors’ Comments on Draft EA at 14. These concerns were not given due consideration.

Lastly, following conversations with Forest Service staff related to treatment of roads that might be needed for Forest Service projects currently in various stages of planning, Objectors asked the Forest Service to “confirm and clarify in the final EA that this only refers to foreseeable actions, not any speculative future management.” Objectors’ Comments on Draft EA at 3. This was not done.

Thank you for considering this objection. We appreciate your work developing this analysis and efforts to incorporate public input, and we look forward to the objection resolution process.



Grace Brahler  
Cascadia Wildlands



Doug Heiken  
Oregon Wild

s/ Travis Williams  
Travis Williams  
Willamette Riverkeeper