

June 9th, 2023

Methow Valley Ranger District
Okanogan-Wenatchee National Forest
c/o Meg Trebon
24 W. Chewuch Rd.
Winthrop, WA 98862

Dear Meg Trebon,

On behalf of The Wilderness Society (TWS), we thank you for the opportunity to comment on the Midnight Restoration Project scoping letter. TWS is a national non-profit environmental organization dedicated to uniting people to protect wild places. As you know, we are an active participant in the North Central Washington Forest Health Collaboration (NCWFHC) and have been involved in restoration projects in the Methow Valley Ranger District, including the Twisp Restoration Project. In addition to submitting these comments, we wholeheartedly endorse the detailed comments submitted by the NCWFHC.

TWS is interested in the Midnight Restoration project planning area for several reasons. First, it is a significant part of the North Cascades ecoregion, which TWS has selected as a national priority landscape. Second, it contains old-growth forests and the Sawtooth Inventoried Roadless Area. Third, the area's management is governed by the Northwest Forest Plan and includes Late Successional Reserve. Finally, the project provides an opportunity to advance the goal of the NCWFHC to increase ecologically sustainable timber harvests, implement the Forest Restoration Strategy, and improve and restore more healthy and resilient forests and watersheds.

Our review of the materials provided with the Midnight Restoration Project scoping letter, including Attachment A and the Treatment Descriptions, has focused primarily on the project's consistency with the Northwest Forest Plan, the Roadless Area Conservation Rule, and the Okanogan-Wenatchee Restoration Strategy.

Purpose and Need

We are supportive of all four needs you have proposed for the Midnight project including:

- Need #1: Move current vegetation structure, spatial patterns, and composition toward desired reference conditions.
- Need #2: Protect and maintain wildlife habitat and complex forest in strategic places.
- Need #3: Provide an affordable, safe, and efficient transportation system and reduce sedimentation from roads on National Forest System lands.
- Need #4: Reduce fire risk to communities, reduce hazards along ingress/egress routes and improve firefighting effectiveness within and adjacent to Wildland/Urban Interface.

We know that these needs are occasionally in conflict with each other (e.g. protecting and maintaining habitat while reducing fire risk to communities).

Forest Plan Amendments/ NWFP

We generally support the proposed project-specific amendments of the Forest Plan and NWFP standards and guidelines (S&Gs) to meet the needs identified in the project area, with one exception.

Regarding the silviculture treatments in LSR, we question whether this amendment is needed to allow the harvest of trees over 80 years within Late Successional Reserves, considering there is a wildfire risk reduction component that can meet the same objective. We request clarification on how this differs from the wildfire risk reduction being completed in other areas of the Forest (i.e., UWPP). As pointed out below, the Plan's prohibition on cutting 80-year-old and older stands in LSR only applies to forests located on the westside of the Cascades – not to the Midnight Restoration Project area in the Okanogan-Wenatchee National Forest, which is located entirely on the eastside of the Cascades.

Attachment A incorrectly assumes that the NWFP's 80-year standard applies to the LSRs in the Midnight Restoration Project area:

"Silviculture treatments in LSR: One NWFP S&G would be amended to silviculture treatments to meet habitat restoration and risk-reduction objectives in LSRs:

Silviculture (NWFP, p. C-12): There is no harvest allowed in stands over 80 years old. "¹

However, the NWFP clearly states that the 80-year standard only applies to LSRs on the westside of the Cascades and that timber harvest in stands older than 80 years is allowed in LSRs east of the Cascades to reduce fire risk and fuels. Following are the relevant excerpts from the NWFP regarding silvicultural activities in LSRs:

"Activities permitted in the western and eastern portions of the northern spotted owl's range are described separately below....

West of the Cascades – There is no harvest allowed in stands over 80 years old....

East of the Cascades ... - Given the increased risk of fire in these areas due to lower moisture conditions and the rapid accumulation of fuels in the aftermath of insect outbreaks and drought, additional management activities are allowed in Late-Successional Reserves...."²

Since the 80-year standard does not apply to fire risk and fuel reduction management in the Midnight Restoration Project, it seems unnecessary and inappropriate to adopt a project-specific amendment to the NWFP's standards and guidelines for LSR management. Instead, the Forest Service just needs to follow the considerably less restrictive guidelines on pages C-12 and C-13 of the NWFP that are specifically designed for eastside forest LSRs.

¹ Scoping Letter Attachment A, p. 9.

² NWFP, Standards and Guidelines, p. C-12 (emphasis added).

Mature and Old Forests

Executive Order on Forests

President Biden recently highlighted the importance of mature and old-growth forests by signing Executive Order 14072 in Seattle on Earth Day 2022. Noting the irreplaceable role that forests play in absorbing and storing carbon dioxide emitted by human activities, the E.O. states, “Conserving old-growth and mature forests on Federal lands while supporting and advancing climate-smart forestry and sustainable forest products is critical to protecting these and other ecosystem services provided by these forests.” Furthermore, the E.O. states:

It is the policy of my Administration, in consultation with State, local, Tribal, and territorial governments, as well as the private sector, nonprofit organizations, labor unions, and the scientific community, to pursue science-based, sustainable forest and land management; conserve America's mature and old-growth forests on Federal lands; invest in forest health and restoration; support indigenous traditional ecological knowledge and cultural and subsistence practices; honor Tribal treaty rights; and deploy climate-smart forestry practices and other nature-based solutions to improve the resilience of our lands, waters, wildlife, and communities in the face of increasing disturbances and chronic stress arising from climate impacts. It is also the policy of my Administration, as outlined in *Conserving and Restoring America the Beautiful*, to support collaborative, locally led conservation solutions.

We encourage you to apply this policy direction in E.O. 14072 to the Midnight Restoration Project.

Terrestrial Restoration

Dwarf Mistletoe

We do not know the extent of dwarf mistletoe across the planning area, and we would like to understand the extent better so that we can better picture what the implementation will look like. We request clarity around the balance of fire risk reduction and habitat values and ask that you provide the best available science in the EA analysis. While we understand the intent of removing mistletoe, we would like to understand better how considerations are made to maintain it on the landscape for ecological values.

We would like to see a Mistletoe Hawksworth rating of 3 for all treatments rather than using a rating of 2 within the Matrix.

Actions within Inventoried Roadless Areas

We are supportive of restoration-focused noncommercial treatments within the Sawtooth Inventoried Roadless Area, provided they are consistent with the Roadless Area Conservation Rule’s exception for cutting of generally small diameter timber (36 CFR 294.13(b)(1)). We support these proposed actions if no new roads are constructed to do said work. Note that changing an unclassified road to a classified road constitutes road construction under the Roadless Rule (see Sec. 294.11) and is prohibited unless it meets an exception for road construction in Sec. 294.12. . We would like to understand if existing roads within the IRA are planned for use to implement these treatments.

Aquatic Restoration & Roads

Roads

We encourage a reduction in the density of and negative impacts from roads through road decommissioning, obliteration, and culvert replacement to reduce hydrological damage, restore fisheries, and improve wildlife habitat. We are supportive of the over 52 miles of roads planned for decommissioning in the proposed action. We would like to see the calculation of the net density of roads after the implementation of the proposed action in the draft EA.

We see that there are 4.2 miles of permanent road construction proposed for this project. It is our understanding that projects within the Collaborative Forest Landscape Restoration Program, like this one, cannot include the establishment of permanent roads (see 16 USC 7303(b)(1)(F)(i) and 7303(g)(2)(A)). What is the rationale for keeping the 2.7 miles of road in the Little Bridge Creek drainage open for administration access rather than closing those roads for storage or making this a temporary road?

We would also like to see all closed roads hydrologically stabilized when they are put into storage. We encourage adequate closures on decommissioned and temporary roads, such as line-of-sight obstructions. We ask that the temporary roads are obliterated promptly after the project is complete and are subsequently monitored for unauthorized use and detrimental hydrological impacts.

We request clarity around the impacts of adding existing unauthorized roads to the National Forest System Roads layer within the Sawtooth Inventoried Roadless Area. As noted above, the Roadless Area Conservation Rule's definition of road construction includes turning unclassified roads into classified roads, and any such construction is prohibited unless it meets one of the Rule's exceptions. The draft EA should ensure that any changes to existing roads in the Sawtooth IRA are consistent with the Roadless Rule's requirements.

Aquatic Restoration

Through verbal communication with partners, we have heard that some aquatic restoration needs within the project footprint have been completed under the Twisp Aquatic Restoration Project. However, some aquatic restoration needs still exist, such as those within the Wolf Creek area. We have heard that the rest of the needs will be completed as part of an Aquatic Programmatic EA once an assessment is completed post-fire. We would like to confirm that this information is correct and also encourage you to include an attachment that addresses how aquatic restoration needs have been and will be completed within the project footprint.

Wildlife Habitat

We are supportive of the proposed actions to develop and increase the size and connectivity of northern spotted owl habitat, reduce the risk of high-severity wildfire in white-headed woodpecker habitat, increase lynx habitat and to maintain the remaining bitterbrush habitat for mule deer winter range.

Condition-Based Management

We support the decision to include pre-identified location-specific treatments within Riparian Reserves, Late-successional Reserves, Inventoried Roadless Areas, Forest Plan Old Growth, and Fuel Breaks out of condition-based management.

However, we are concerned about the proposed condition-based management (CBM). While CBM will occur within only 25% of the project area, almost 45% of potential treatments proposed are CBM. The Midnight Restoration Project comes on the heels of the Twisp Restoration Project and is important to the deeply-engaged Methow community. With over 24,000 acres of proposed CBM, including the majority of overstory vegetation treatments, we are concerned that shared expectations and understanding of the project once implemented will be near impossible to achieve. Not to mention that it could result in even more degraded trust within the community, jeopardizing future necessary ecological forest restoration treatments within the Methow Valley.

Once again, thank you for considering TWS's comments. We look forward to collaborating with the Forest Service in planning and implementing this project.

Sincerely,

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