



July 31, 2023

Alice Carlton, Forest Supervisor
Attn: Karie Wiltshire, Environmental Coordinator
2900 NW Stewart Pkwy
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Submitted via <https://cara.fs2c.usda.gov/Public//CommentInput?Project=62951>

Re: 2021 Wildfire Roadside Danger Tree Mitigation Project (62951)

Please consider the following comments on the [2021 Wildfire Roadside Danger Tree Mitigation Project](#), submitted on behalf of Cascadia Wildlands and Oregon Wild. Cascadia Wildlands is a 25-year-old, non-profit conservation organization that works to defend and restore Cascadia's wild ecosystems in the forests, in the courts, and in the streets. Cascadia Wildlands envisions vast old-growth forests, a stable climate, rivers full of wild salmon, wolves howling in the backcountry, and vibrant, diverse communities sustained by the unique landscapes of the Cascadia bioregion. Over 12,000 members and supporters across the country help sustain the organization and its movement for change. 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.

Thank you for preparing and allowing for public review of this full Environmental Analysis (EA) and offering a public field trip to portions of the project area. 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 our previous comments and to staff on the project field trip. Protecting public safety is of the utmost importance; so is taking a conservative approach to post-fire logging and allowing the sensitive, post-burn forests to recover so that these publicly-owned landscapes and the many species that rely on them may thrive for generations to come. Please consider the following questions and concerns in response to the draft EA.

Project Description

The Umpqua National Forest (Forest) is proposing to mitigate roadside danger trees that resulted from the 2021 wildfires. The Devil's Knob Complex, Rough Patch Complex, and Jack

Fire burned 145,000 acres across the North Umpqua Diamond Lake, Cottage Grove, and Tiller Ranger Districts in 2021. The project area spans 439,096 acres. Within the project area, approximately 139 miles of roads were identified that need danger trees mitigated, covering approximately 7,492 treatment acres. Draft EA at 14. The Forest has identified the primary purpose of this project as reducing the risk to travel along prioritized roads associated with fire killed trees. *Id.* at 6. The project also entails road system maintenance and fuels reduction.

Site-Specific Feedback

We asked the Forest to provide road-specific treatment plans so that the public could provide informed feedback on the proposed actions. We sought details regarding what process the Forest is using to evaluate each road and their current status—especially those areas that were burned at a low- or mixed-severity; are remote and infrequently accessed; on steep slopes; are overgrown with vegetation; are inaccessible due to gate closures or other barriers, etc., but this information was not provided.

Please see the attached Appendix to these comments for field checking data, including photos and observations of recent conditions, questions, and recommendations for treatment.

Project Design and Implementation

We are concerned by the project's narrow purpose and need that fails to account for ecological impacts and tradeoffs inherent with post-fire danger tree felling. In an EA, the agency must discuss the purpose and need for the proposed action. An agency may not define its objectives in unreasonably narrow terms. As reflected in the purpose and need statement and alternatives dismissed from detailed consideration, the Forest preemptively made a policy choice to take an over-inclusive approach to hazard tree abatement, precluding the consideration of other resource values that would have yielded a more narrowly tailored approach (e.g., carbon retention, wildlife habitat, water quality maintenance). The Forest considered only two alternatives (the proposed action and no action) while eliminating alternatives that would have resulted in a more focused project from detailed analysis. While we support the Forest's efforts to manage immanent hazards and protect public safety, the Forest can and should strive to execute a project that protects public safety *and* important ecological values. The Forest Service's reliance on an unreasonably narrow purpose and need and resulting failure to consider a reasonable range of alternatives violates the National Environmental Policy Act.

We remain concerned about the over-broadness of the danger tree identification criteria, especially in regard to cutting dead large-diameter Doug firs and cedars with no other failure indicators. While we understand capacity constraints may present difficulties, it is imperative that the Forest balance risk in a manner that protects public safety and

minimizes unnecessary disturbance in sensitive post-fire landscapes (leaving carbon on the landscape, maintaining potential snag and deadwood habitat, limiting soil disturbance and sedimentation, avoiding felling non-target trees for operational safety while reaching these low-risk trees). Leaving large trees that pose a low risk of failing is an easy way to accommodate a reasonable level of risk in balancing those tradeoffs. Additionally, the Forest does not account for lower risk of road-strike from hazard trees downhill of the road. Contrast the Forest's approach to that of the Willamette National Forest or Mt. Hood National Forest's Roadside Danger Tree Environmental Assessment.¹ The latter took a more ecologically-reasonable approach, reducing treatments on the downhill side of the road and utilizing a risk categorization system to cut danger trees at different times "to achieve operational feasibility, management efficiency, and assured access."² Mt. Hood National Forest also included a secondary project purpose of managing an efficient road system, evaluating road closure and decommissioning needs in the context of hazard tree treatment and future firefighting.

Further, for identification implementation, the draft EA states:

"The evaluation of trees would be conducted by qualified Forest Service personnel and contractors. In the cases where evaluations are conducted by contractors the contract requirements will be drafted by the Forest Service and administered and inspected by Forest Service Contracting Officers and Contracting Officer Representatives."

Draft EA at 18. This responds to our concerns about potential financial bias in the case of persons who stand to benefit financially from commercial felling of danger trees. What qualifications or trainings do contractors receive? We maintain that the Forest should have oversight throughout this process so that danger tree criteria is implemented conservatively and not influenced by interest in maximizing commercial value.

The Forest does not contemplate prescribed burning in addition to thinning for hazardous fuels management. Mechanical treatments like thinning can increase wildfire severity if not paired with surface fuel reductions like prescribed burning. We reiterate our observations of slash piles remaining for months to years following project implementation on national forest lands, which increase fire risk.

The Forest shrugs off the suggested deployment of warning signs or consideration of other

¹ US Forest Service, Clackamas Fires Roadside Danger Tree Environmental Assessment, 2022, available at <https://www.fs.usda.gov/detail/mthood/fire/?cid=fseprd937474> ("Conversely, where danger trees are located downslope of roads, the distance may be considerably less than 1.5 tree-height. Even though the proposed action considers a striking distance of up to two tree-heights, site-specific conditions during field assessment would determine actual striking distance.")

² *Id.* at 9 ("Due to the magnitude of danger trees along the road system, imminent, likely and low category danger trees would be cut to achieve operational feasibility, management efficiency, and assured access. This does not imply that all danger trees would be treated at the "same time". Rather, this suggests that the fire-affected road system being evaluated at one time in this environmental assessment, would allow implementation to occur in a phased manner, over several years. Once danger trees (as described in this assessment) have been cut, there would be no need to conduct additional analysis and additional site assessments to address future fire-affected danger trees along the road. This approach would minimize the need to periodically return for an undetermined number of years to reassess each fire-affected road.")

vehicle safety mechanisms like speed limits or prioritization around high-use recreation sites. Appendix L at 32. This runs counter to the Forest's emphasis on protecting public and worker safety. These are low-input actions that can work in tandem with danger tree felling to increase awareness of post-burn forest risks and support safety goals. All of the above should be considered in an alternative under this EA or in an Environmental Impact Statement (EIS).

Aquatic Resources

The project has the potential to significantly harm aquatic ecosystems and the fish that rely on them within the Umpqua National Forest. The majority of proposed treatments fall within the Steamboat Creek, Middle North Umpqua River, Headwaters South Umpqua River, Jackson Creek, and Dumont Creek-South Umpqua River 5th field watersheds. Draft EA at 25. Additionally, minor components of the project are also planned within the Row River, Canton Creek, and Little River 5th field watersheds. Draft EA at 25. Many of these watersheds, especially Steamboat Creek, provide critical habitat to threatened coho and sensitive summer steelhead populations within the basin. Treatments within the Steamboat Creek watershed are of particular concern, given that Steamboat is undoubtedly the most crucial spawning tributary for North Umpqua summer steelhead and sustains the bulk of the wild run.

The Forest acknowledges that the project could have short term negative effects on sedimentation and stream turbidity due to the yarding and hauling of logs, fuels treatments, culvert replacements, and road work. Draft EA at 31. Increased sedimentation and turbidity negatively impact stream health and critical habitat characteristics for fish spawning and rearing. This is concerning to us because the loss of one hen (female) steelhead can result in 4,000 less eggs being deposited within a stream during a given season. While the loss of a few steelhead and/or their spawning habitat during a single season may seem like a short-term negative effect, the cascading effects from that loss can have significant long-term impacts on the viability of anadromous fish populations and the overall health of the Umpqua basin. This is of particular interest at this time, given that the Oregon Department of Fish and Wildlife (ODFW) recently announced that all fishing on the North Umpqua River and its tributaries will be closed from July 31 through November 30, 2023.³ This is the second time in three years that fishing has been prohibited in the North Umpqua for several months.⁴ Less than half the amount of summer steelhead needed to meet critical abundance for the year have passed over Winchester Dam, and low water flows and increased water temperatures also played a role in this closure.

The Forest claims that there could be effects to stream temperature as a result of reduced stream shade but concludes that these impacts are likely to be undetectable. Draft EA at 32. What supports this conclusion? This cursory dismissal is concerning, especially the recent

³ ODFW, "All angling on North Umpqua River and tributaries closed July 31 – Nov. 30," https://www.dfw.state.or.us/news/2023/07_jul/072823.asp#:~:text=ROSEBURG%2C%20Ore%20-%20All%20angling%20on,marker%20below%20Soda%20Springs%20Dam.

⁴ Chris Lehman, "Low steelhead numbers close North Umpqua River to all fishing," July 30, 2023, <https://www.ijpr.org/environment-energy-and-transportation/2023-07-30/low-steelhead-numbers-close-north-umpqua-river-to-all-fishing#>.

angling closure on the North Umpqua River. Again, according to ODFW, low water flows and elevated water temperatures in the river played a role in the emergency closure. We recommend that all trees and snags within the effective shade zone be left standing to provide shade and bank stability during this particularly vulnerable time for the Umpqua National Forest's water and fisheries.

The Forest claims that water withdrawals for dust abatement during haul and water diversion during road maintenance activities could occur. Draft EA at 39. This process will primarily occur during dry summer months. Draft EA at 39. How much water will be withdrawn and from which streams? We are concerned about the decrease in streamflow during an already low-water season and ongoing drought in the west. This will decrease the amount of available water for aquatic species and lead to increased water temperatures in an environment that is already dealing with the detrimental effects of increased water temperatures throughout the Umpqua basin. Increased water withdrawals will lead to fish kills and reduced returns of anadromous fish during subsequent seasons. Also, please elaborate on the Forest's plans to relocate aquatic species to isolate work areas during culvert replacement.

Overall, we urge the Forest to take a hard look at water and fisheries-related impacts and consider a more focused alternative given the extraordinary ongoing challenges with these precious aquatic resources within the Umpqua National Forest. We urge the Forest to update its analysis to account for these factors and consider preparing an EIS.

Northern Spotted Owl

The project proposes fall and leave and fuels treatments within 1,693 acres of Nesting Roosting Foraging (NRF) habitat and 912 acres of dispersal habitat. Draft EA at 86. We are concerned about project actions resulting in take of spotted owls due to loss of nesting structures from the removal of snags, reductions in prey populations, and disturbance from noise. Indeed, the Forest indicates the project may affect or is likely to adversely affect spotted owls. We encourage the Forest to post and distribute consultation documents as soon as feasible and allow for public review and comment before the EA is finalized. Preparation of an EIS may be warranted.

We reiterate and ask the Forest to consider the science regarding post-fire logging presented in the 2011 Revised Recovery Plan for the Northern Spotted Owl⁵ in the purpose and need and alternatives for the project. The plan recognizes the natural role of fire in developing and maintaining complex habitat supporting spotted owls and diverse prey species. Relevant parts of the recovery plan state:

⁵ USFWS 2011. Revised Recovery Plan for the Northern Spotted Owl.
<https://www.fws.gov/oregonfwo/Species/Data/NorthernSpottedOwl/Recovery/Library/Documents/RevisedNSORecPlan2011.pdf>

- “There is evidence of spotted owls occupying territories that have been burned by fires of all severities. The limited data on spotted owl use of burned areas seems to indicate that different fire severities may provide for different functions.” (p III-31).
- “... [S]upport is lacking for the contention that reduction of fuels from post-fire harvest reduces the intensity of subsequent fires (McIver and Starr 2000), and planting of trees after post-fire harvest can have the opposite effect.” (p III-47).
- “Detrimental ecological effects of post-fire timber harvest include: increased erosion and sedimentation, especially due to construction of new roads; damage to soils and nutrient-cycling processes due to compaction and displacement of soils; reduction in soil-nutrient levels; removal of snags and, in many cases, live trees (both of which are habitat for spotted owls and their prey); decreased regeneration of trees; shortening in duration of early-successional ecosystems; increased spread of weeds from vehicles; damage to recolonizing vegetation; reduction in hiding cover and downed woody material used by spotted owl prey; altered composition of plant species; increased short-term fire risk when harvest generated slash is not treated and medium-term fire risk due to creation of conifer plantations; reduction in shading; increase in soil and stream temperatures; and alterations of patterns of landscape heterogeneity ...” (p III-48).
- “Consistent with restoration goals, post-fire management ... should promote the development of habitat elements that support spotted owls and their prey, especially those which require the most time to develop or recover (e.g., large trees, snags, downed wood). Such management should include retention of large trees and defective trees, rehabilitation of roads and firelines, and planting of native species (Beschta et al. 2004, Hutto 2006, Peterson et al. 2009). We anticipate many cases where the best approach to retain these features involves few or no management activities. Forests affected by medium- and low-severity fires are still often used by spotted owls and should be managed accordingly. Many researchers supported the need to maintain habitat for spotted owl prey. For example, Lemkuhl et al. (2006) confirmed the importance of maintaining snags, downed wood, canopy cover, and mistletoe to support populations of spotted owl prey species. Gomez et al. (2005) noted the importance of fungal sporocarps which were positively associated with large, downed wood retained on site post-harvest. Carey et al. (1991) and Carey (1995) noted the importance of at least 10 to 15 percent cover of downed wood to benefit prey.” (p III-49).

Please also clarify the following in the final EA:

- “New landings and temporary roads should not be constructed in Nesting, Roosting and Foraging (NRF) habitat. Existing roads and existing pull outs should be utilized whenever possible.” Draft EA at 53. Replace ‘should’ with ‘will’ here to commit to minimizing disturbance from roads in NRF.

- “Retain older complex, large diameter standing snags that do not meet danger tree felling guidelines during all project activities where it is safe and practical to do so.” *Id.* What makes it safe and practical (or not)? The Forest should retain as many snags for NSO as possible.
- “Within NRF habitat, fall and leave, and fuels treatments are proposed within 1,686 acres. An additional seven acres of NRF habitat is located within commercial units. This is likely a GIS mapping error in the data (see Methodology Section).” *Id.* at 58. Will the Forest correct this error in the final EA? No commercial harvest should be authorized within NRF habitat.
- “A project design feature (PDF) will be applied to address no target trees that need to be felled within commercial units. If felled, non-target trees will be left on site to the greatest extent practicable.” *Id.* For what reasons will non-target trees be felled and how will the Forest minimize such felling? How will the Forest assess what is practical or not?

Red Tree Voles

We are concerned about the project’s impacts on red tree voles, which is currently a Forest Sensitive Species and Survey and Manage species under the Northwest Forest Plan (“NWFP”) and important prey species for the northern spotted owl. The Draft EA includes a Revised Red Tree Vole Conservation Plan Middle North Umpqua Fifth-field Watershed, which designated “an additional 20 [High-Priority Sites] and 3,789 acres of connectivity areas [] to continue to provide for a reasonable assurance of RTV persistence within the watershed and to provide for continued connectivity throughout the watershed and to adjacent watersheds.” Appendix M at 2.

Despite the revision, the Forest Service has not conducted red tree vole surveys for this project and is not planning to conduct surveys prior to logging. The agency provides the following explanation:

Although this project is within the Mesic survey zone and proposed actions will occur within suitable habitat, the proposed actions are not likely to have a significant negative impact on the species’ habitat, life cycle, microclimate, or life support requirements that would affect red tree vole persistence within the treatment areas. Additionally, the survey protocol specifically mentions activities exempt from surveys, which includes routine maintenance of improvements and existing structures is not considered a habitat-disturbing activity. Examples include road maintenance, clearing encroaching vegetation, managing existing seed orchards, and falling hazard trees (USDA/USDI, 2001:S&G 22).

Draft EA at 107–108. We question whether the agency’s reliance on “falling hazard trees” listed in a string of examples in the Survey and Manage Guidelines is appropriate given the scope and scale of the project at hand.

Consider the list of exemptions in context:

“Conversely, an activity having soil-disturbing effects might not have a large enough scope to trigger a need to survey. Such a case would be the installation of a sign post within a campground. Routine maintenance of improvements and existing structures is not considered a habitat-disturbing activity. Examples of routine maintenance include pulling ditches, clearing encroaching vegetation, managing existing seed orchards, and falling hazard trees.”

USDA/USDI, Final Supplemental Environmental Impact Statement for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines, 2000, at 47. The 2021 Wildfire Roadside Danger Tree Mitigation Project consists of a project area that is approximately 439,096 acres. Within the project area, approximately 139 miles of roads were identified that need danger trees mitigated, covering approximately 7,492 treatment acres. The scale and scope of hazard tree felling proposed by this project far exceeds that of a signpost installation or vegetation clearing, leading us to believe the Forest Service is incorrect to rely on the inclusion of “falling hazard trees” for this large-scale project. We encourage the Forest Service to reevaluate and conduct surveys for Red Tree Voles as requested in our scoping comments.

Here, the Forest proposes danger tree treatments in four HPS, covering 77 acres total and 38 acres of suitable habitat. We appreciate that these are not commercial treatments and that trees will be left onsite, agreeing that these areas are important for connectivity and longterm persistence. Draft EA at 110. Still, we encourage the Forest to conduct surveys to ensure it has captured RTV and habitat presence accurately.

Habitat Connectivity

The Oregon Department of Fish and Wildlife recently released a connectivity mapping tool, which shows priority regions and connectors wildlife that overlap project treatment areas.⁶ We request that the Forest update its wildlife impacts analysis to consider how areas identified by the agency as priority conservation pathways will be affected by project actions.

Carbon and Climate Change

The draft EA fails to properly account for climate and carbon impacts of felling hazard trees, concluding “...the scale of global cumulative carbon emissions from land use...changes in carbon fluxes associated with the proposed action are not significant.” Draft EA at 143. The Forest’s response to public comments regarding carbon and climate change impacts from the project is likewise inadequate, focusing merely on emissions from equipment and fails to complete carbon accounting as requested. Appendix L at 14. The Forest should evaluate sequestration rate change and carbon storage loss associated with the project and aim to maintain snags and large trees. Keep commercial treatments to a minimum in favor of leaving carbon on the landscape and allowing burned forests to regenerate and regain carbon sequestration and storage potential.

⁶ ODFW, Priority Wildlife Connectivity Areas Web Map, <https://experience.arcgis.com/experience/6979b6598f904951bd0af1821e1595f1/>.

Thank you for considering these comments and taking our input into consideration. Please reach out with any questions.

Sincerely,

A handwritten signature in black ink that reads "Grace Brahler". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

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A handwritten signature in black ink that reads "Doug Heiken". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

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