November 6, 2023

Alice Carlton, Forest Supervisor, USDA Forest Service
Attn: 2021 Wildfire Danger Tree Project
2900 NW Stewart Pkwy
Roseburg, OR 97471
Phone: (541) 957-3200

Submitted via email to: objections-pnw-umpqua@usda.gov

Re: 2021 Wildfire Roadside Danger Tree Mitigation Project #62951

Project Description: The project is on the Umpqua National Forest within the perimeters of the 2021 Devils Knob Complex, Rough Patch Complex, and Jack Wildfires located in the Cottage Grove, North Umpqua, Diamond Lake, and Tiller Ranger Districts. The Forest is proposing to fell standing danger trees within or immediately adjacent to the 2021 Wildfire perimeter on 139 miles of identified Maintenance Level (ML) 2 through 4 National Forest System roads open to the general public on the Motor Vehicle Use Map (MVUM).

The danger tree mitigation treatment area would cover approximately 7,492 acres with these site- specific treatments: hand fall and leave, fuel treatment, or commercial treatment. Commercial treatment of wood includes both saw timber removal and the removal of biomass; fuel treatment includes the removal of biomass. Following the felling, activity fuel treatments may be implemented. Activity-generated fuels and slash within roadside treatment areas would be lopped and scattered, machine or hand piled and burned, or removed depending on site conditions. Road maintenance, repair and reconstruction, associated with the felling and removal of danger trees, repair of damage from fire suppression, and repair of damage from the fire. Rock pit operations would be implemented to source material for road maintenance and reconstruction.

Name and Title of Responsible Official:

David Andersen, North Zone District Ranger
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Lead objector:

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Specific Issues Related to the Proposed Action:

Cascadia Wildlands and Oregon Wild ("Objectors") respectfully submit these objections, pursuant to 36 C.F.R. § 218, to the 2021 Wildfire Roadside Danger Tree Mitigation Project draft Environmental Assessment (EA) and draft Decision Notice/Finding of No Significant Impact (DN/FONSI), issued September 21, 2023, by the Umpqua National Forest.

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 country. 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 area impacted by the 2021 fires and impacted by the proposed actions 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 2021 Wildfire Roadside Danger Tree Mitigation Project area for hiking, recreation, wildlife watching, nature appreciation, and other recreational pursuits.

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 2021 Wildfire Roadside Danger Tree Mitigation Project, which we incorporate by reference.

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

Objectors acknowledge and appreciate that the Forest Service has developed an intentionally-designed project to address safety concerns following the 2021 fires. Objectors also appreciate the opportunities to review the project proposal, join a guided field trip with Forest Service staff, and provide input during the planning phase. Objectors provided timely input urging the Forest Service 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 sensitive, post-burn forest to recover so that these public lands may thrive for generations to come. Objectors find certain aspects of the project proposal to be overbroad, failing to properly balance the tradeoffs of post-fire logging. Thus, proposal and project implementation, detailed below.

3. Objectors identify the following parts of the EA/DN/FONSI for objection.

a. The Forest Service failed to prepare a reasonable range of alternatives, and the final project proposal remains overly broad.

We remain concerned that the project design is overbroad, targeting trees that show little to no risk to public safety, and will result in outcomes detrimental to a sensitive post-burn landscape and the array of species it supports. For this project, the Forest Service developed only one action alternative, comparing the impacts of that alternative to no action. The Forest Service could have (and should have) developed an alternative that allowed for a reasonable level of risk, carefully balancing the many tradeoffs associated with post-fire forest management and acknowledging the risk inherent with public forest access.

The Forest Service has failed to provide justification for the low mortality threshold used to identify areas for treatment. The Forest measured burn severity using basal area mortality (BAM) and decided to "focus[] on areas with higher concentrations of danger trees and areas that burned at >25% basal area mortality, while also balancing access and management needs." EA at 17. Objectors asked for justification for this threshold, which was set at what the Forests deems 'low' severity for this project. However, the Forest previously considered moderate to high burn severity as greater than 50% BAM (2022 Archie Creek Roadside Danger Tree Mitigation Project EA, at 6). Why the change and what is the justification for using this threshold? The Forest could have considered an alternative that set a threshold within what it now calls the 'moderate' severity range (25-50%).

The Forest developed danger tree identification guidelines that focus on trees within one and half tree lengths from the road. The project accounts for slope by adding an additional buffer uphill from the road, depending on the tree's distance from the road. The Forest could have considered an alternative that focused on trees within one tree height from the road, especially downhill from the road, while still buffering for risk of rollout from danger trees located upslope.

The Forest does not contemplate prescribed burning in addition to thinning for hazardous fuels management for this project. 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 could have prepared an alternative that considered prescribed burning in addition to the proposed mechanical fuels management actions.

Of greatest concern, the project proposes to cut 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. The Forest could have prepared an alternative that considered the tradeoffs of leaving these low-risk, large-diameter trees on the landscape.

Finally, the Forest continues to dismiss risk management actions in addition to tree felling, such as utilizing gates or signage to convey the risk of post-burn landscapes to forest users. The Forest could have prepared an alternative that added this low-input action.

b. The project will negatively impact fish and wildlife.

Red Tree Vole: The project could result in negative impacts to red tree voles, a Forest Sensitive Species and Survey and Manage species under the Northwest Forest Plan ("NWFP") and important prey species for the northern spotted owl. We appreciate that the Forest updated its Red Tree Vole Conservation Plan following the 2021 fires, identifying "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. However, we are concerned that the Forest has decided not to conduct surveys for this project prior to logging and other associated actions. EA at 109-110. The Forest's reliance on the exemption included in the Survey and Manage Guidelines is inappropriate 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 and draft EA 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. EA at 110. Still, we encourage the Forest to conduct surveys to ensure it has captured RTV and habitat presence accurately and adjust project implementation accordingly.

Northern Spotted Owl: Objectors are concerned about the project's impacts to northern spotted owl. The project proposes fall and leave and fuels treatments within 1,686 acres of Nesting Roosting Foraging (NRF) habitat and fall and leave, fuels treatment, and commercial treatment in 912 acres of dispersal habitat for the northern spotted owl, which is listed as threatened by the Endangered Species Act. EA at 61. The project actions will modify NRF and RA-32 habitat and remove intact and burnt NRF habitat and dispersal habitat. Appendix J at 13. There are seven acres of NRF habitat in commercial treatment units, which the Forest presumes is a "GIS mapping error in the data" but fails to remove those acres from commercial treatment. Danger tree treatments are proposed within 98 owl sites and two subunits of spotted owl critical habitat.

We are pleased to see provisions to avoid activity during the nesting season near spotted owl sites were incorporated into the project, though waivers are allowed. Appendix J at 14. We remain 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. As stated in the consultation document, "[d]own wood and dead trees are important features of prey species habitat such as wood rats and flying squirrels. Felling dead or damaged trees may also impact dispersal (PBF #4), which provide habitat to support the transience and colonization phases of dispersal of spotted owls." Appendix J at 18. The Forest should prepare an alternative that reduces the treatment distance from the road and maintains dead large-diameter trees that show no other risks of failure to maintain additional acres of habitat for owls and their prey, especially in the vicinity of core-use areas and nest patches.

c. The Forest Service failed to adequately analysis the project's potential impacts on climate change and carbon storage and sequestration.

The final EA fails to properly account for climate and carbon impacts of felling danger trees. 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, as laid out in Biden's pertinent Executive Order 14072. The order 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 …[1]

Objectors commented on the insufficiency of the carbon sequestration and greenhouse gas sections of the EA and urge the Forest to complete a more robust climate and carbon analysis, including an evaluation of sequestration rate change and carbon storage loss associated with the project.

Thank you for considering this objection. We appreciate your work developing this analysis and the opportunities to provide public input. We look forward to the objection resolution process.

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Doug Heiken
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[1] 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/.