



March 31, 2024

Jason Kuiken, Forest Supervisor
Stanislaus National Forest
Attn: SERAL 2.0
19777 Greenley Road
Sonora, CA 95370

Regarding: Social and Ecological Resilience Across the Landscape 2.0 (SERAL 2.0) Draft Environmental Impact Statement (DEIS)

Mr. Kuiken,

California Four Wheel Drive Association (Cal4Wheel) is writing to provide feedback for the Social and Ecological Resilience Across the Landscape 2.0 ([SERAL 2.0](#))¹ that is proposed for Stanislaus National Forest (SNF). Many of our members and supporters live near and/or recreate in the area encompassed by SNF. This letter of comment shall not supplant the rights of other Cal4Wheel agents, representatives, clubs, or individual members from submitting their own comments; the US Forest Service (FS) should consider and appropriately respond to all comments received for SERAL 2.0.

Cal4Wheel is a non-profit organization comprised of over 3,500 members that champions responsible off-highway vehicle (OHV) recreation and encourages a strong conservation ethic and individual stewardship. We champion responsible use of public lands for the benefit of all recreationists by educating and empowering our members to secure, protect, and expand shared outdoor recreation access by working collaboratively with public land managers and other recreationists. Our members use OHVs of all forms, as well as other motorized methods, to enjoy federally managed lands throughout California and the United States, including those of SNF. Our members and supporters live in California or travel across the country to visit California and use motorized vehicles to access FS managed lands throughout the state. Cal4Wheel members visit SNF for motorized recreation to participate in non-motorized and human-powered activity such as sightseeing, photography, hunting, fishing, wildlife and nature study, camping, observing cultural resources, and other similar pursuits on a frequent and regular basis throughout every season of the year. Cal4Wheel members and supporters have concrete, definite, and immediate plans to continue such activities throughout the future.

General Comments

We recognize the positive health and social benefits that can be achieved through outdoor recreation. We also recognize that motorized recreation provides business owners in local communities with significant financial stimulus. Of great importance to the impetus for this comment letter: our members are directly affected by management decisions concerning public land use in SNF, including and especially, decisions specific to SERAL 2.0.



Our members subscribe to the tenets of:

- Public access to public lands now, and for all future generations
- Active stewardship to maintain conservation of public lands, and safety for those who enjoy them
- Sharing our natural heritage

Cal4Wheel members as well as the general public desire access to public lands now and in the infinite foreseeable future. Restricting access today deprives our children of the opportunity to enjoy the many natural wonders of public lands. Cal4Wheel members and the general public are deeply concerned about the condition of the environment and public safety. They desire safe means to access public lands to engage in conservation efforts as well as outdoor recreation. The public desires to share our natural heritage now and in the future. How can our children learn about and appreciate our natural heritage when access to public lands via roads and trails for motorized use are eliminated or restricted due to FS management activity, when public land landscapes are allowed to deteriorate due to lack of proper maintenance, and historic routes are blocked or closed to use?

As noted on page 10 of the DEIS¹ the footprint of SERAL 2.0 covers 162,000 acres that encompasses a variety of OHV routes and dispersed camp sites, both of which form core areas of high-value use for Cal4Wheel members. Cal4Wheel supports the concept of managed recreation and believes it is prudent to identify areas where off-highway vehicle (OHV) use is appropriate. Recreation, especially [recreation off of paved or gravel roads, is the leading cause of growth in visitors to public lands](#)². This is a longstanding trend, and it is critical to note, California has led the nation as the state with the highest percentage of population and number of participants in OHV recreation since 2008. The US OHV market is worth more than \$9 billion, and California represents over 10% of that market share. It is clear that public interest in OHV recreation is a dominant value and preferred mode of outdoor recreation for residents of California. SERAL 2.0 bears the potential to protect the stability and growth of outdoor recreation and OHV access as economic drivers for the communities in Calaveras, Tuolumne, Mariposa, Alpine, and Mono counties that serve as gateways to SNF, and recreation tourism destinations. If implemented per the full scale of the project plan as defined in Scoping documents, SERAL 2.0 will function to preserve the health and wildfire resilience of SNF and the surrounding landscape, and thus minimize user conflicts and potential resource damage while providing sufficient recreation access to public lands for all forms of recreation, including OHV.

Cal4Wheel has reviewed the SERAL 2.0 DEIS¹ and agrees with the FS decision to authorize this project for implementation. Specifically, we agree that the rationale provided for the following is aligned with the Purpose and Need for this project, as well as with existing laws, regulations, and protocol that direct FS land management activities:

- Maintain full defined scale of the project to comprise 162,000 acres of public land in SNF
- Increase Landscape Resilience to Natural Disturbances
 - Increase forest heterogeneity (within and between stands).
 - Reduce stand densities.
 - Retain large, old, and structurally diverse trees and snags.
 - Increase the abundance and distribution of fire-resilient and resistant species (pines and oaks) and decrease the abundance of shade-tolerant species (firs and cedars).



- Reduce surface and ladder fuels.
- Increase management by fire, both prescribed and managed wildfire.
- Construct and maintain a network of fuelbreaks to support prescribed fire and wildfire operations.
- Salvage drought, insect, disease, and wildfire disturbed areas.
- Reduce the Spread of Invasive Non-Native Weeds.
- Provide Economic Opportunities to Local Communities.

However, we believe that the DEIS has fallen short of effective follow through on implementation of the Purpose and Need for this project in some areas through unnecessary limitation on scope of implementation, specifically in regard to:

1. Catastrophic wildfire prevention
2. Protecting and enhancing OHV and outdoor recreation as positive drivers for project success
3. NEPA alternatives requirements
4. Users with disabilities
5. Social and economic impacts
6. Wild and Scenic Rivers

We support any additional comments that encourage the FS to maximize the total acreage for fuel reduction and landscape restoration of SNF, and wildfire resilience and catastrophic wildfire prevention, through implementation of SERAL 2.0. We strongly advocate against any limitations that may be imposed to the plan that would diminish or eliminate fuel reduction, landscape restoration, and wildfire prevention objectives.

Catastrophic Wildfire Prevention

[SNF encompasses 898,099 acres, of which over 28% \(257,314 acres\), was reduced to ash by the Rim Fire³](#) in 2013. There are critical areas surrounding the burn scar that remain at severe risk of catastrophic wildfire and mitigation efforts are urgently needed, this includes the 162,000 acres of land contained within the footprint of SERAL 2.0. It is vital that the FS take action now to reduce fuel load of timber and vegetation per acre across the SERAL 2.0 project area, and throughout SNF, in order to decrease the threat of future catastrophic wildfire.

One of the biggest threats to the health and resilience of SNF is catastrophic wildfire. In California, between 2020 and 2023, over 7 million acres were burned by catastrophic wildfire. Wildfire of this type decimates the landscape, incinerating full forests and every form of life that resides in it. As noted in the DEIS for this project (page 13)¹:

“Over the past century and a half, forests, watersheds, and landscapes have become increasingly susceptible to threats such as large, high severity wildfires, widespread drought, and insect- and disease-induced tree mortality (Safford and Stevens, 2017). National Forests in California’s Sierra Nevada region are now in a state of emergency.



California's current wildfire and forest health emergency has emerged from the altered state of Sierra Nevada forested ecosystems and the effects of a changing climate. Forested ecosystems were once balanced by periodic moderate and low severity fires ignited by lightning or as part of Native American burning practices. In the absence of these periodic fires, forested landscapes have become more homogeneous, characterized by tightly packed small and medium-sized trees, increased canopy cover, fewer large-diameter trees, heavy concentrations of fuels on the forest floor, an abundance of low growing vegetation (ladder-fuels), and a shifted dominance from fire-resistant species like pines to shade tolerant-fire susceptible tree species such as white fir (USDA 2023 – 4, USDA 2019, Mallek et al. 2013, Miller et al. 2009, Steel et al. 2015). Forests in these conditions are composed of stressed trees that are vulnerable to high-severity wildfire and tree mortality from insects and disease.”

As the staff of the FS has acknowledged, over the last several decades, natural wildfire has been suppressed and an increased density of trees and underbrush have choked the land and created the perfect conditions for total destruction by catastrophic wildfire, as we experienced through the Rim Fire. We urge SNF to take action now through SERAL 2.0 to maximize the scope of the project to address a greater expanse of land surrounding the existing project footprint. It is more critical now than ever that SNF take action to thin the forest from overly-dense trees and brush to restore healthy balance and improve forest resilience to survive future fires. Additionally, it is vital that SNF incorporate a detailed long-term forest maintenance plan into the scope of post-SERAL 2.0 action, to ensure that efforts to prevent wildfire in unburned terrain are sustained for perpetuity.

We ask SNF to expand the boundaries of SERAL 2.0 to include:

- **Additional acreage beyond the scope of 162,000 currently slated for forest thinning, fuel reduction, prescribed fire, fuelbreak construction and maintenance, timber salvage, invasive weed control and eradication, and landscape restoration**
- **A detailed long-term maintenance plan to be implemented following project completion**

OHV & Outdoor Recreation: Positive Drivers of Project Success

The area of SNF contained within and adjacent to the boundaries of SERAL 2.0 is a popular area of OHV use and dispersed camping. Multiple communities that are economically dependent upon the health of the forest and public access to outdoor recreation in the forest lie within close proximity to the boundaries of SERAL 2.0. The FS should thus work to maximize OHV use and camping in this area, which can be achieved by ensuring that all current and newly created roads remain open and maintained for use following completion of SERAL 2.0. We do not support the post-project decommissioning of any roads that are constructed or improved for SERAL 2.0. NEPA requires agencies to consider a range of viable alternatives, and the recreation interest in SNF justifies the inclusion of analysis of impact on public access to outdoor recreation as a component of this project.



We call attention to the fact that the DEIS demonstrates improvements in project consideration of the direct impact of SERAL 2.0 on OHV and outdoor recreation, as compared to Scoping documents. We appreciate that Section 2.09 of the DEIS (page 37)¹, “Reconstruction and Maintenance of Roads and Trails,” states that:

“All roads and trails within the project area are subject to reconstruction or maintenance. No changes to public access would occur on any existing road or trail.”

Additionally, Section 2.12.K.viii of the DEIS (page 52)¹, “Management Requirements,” states that:

“If designated system off highway vehicle routes (roads and trails) are used during project implementation, routes will be rehabilitated immediately following their use to ensure OHV use is able to continue. This may include cleaning tread, drainage structures, placement of barriers, replacing / installing signs, etc.”

It is evident that the FS utilized public input from the Scoping phase of this project to increase the relevance of project planning to the FS road and trail system, and OHV routes specifically, as demonstrated in DEIS Volume 2: Response to Comments, response #77¹. We express gratitude that the FS has considered and utilized public comments to increase the accuracy and relevance of planning for SERAL 2.0 as related to OHV roads and trails. **We advocate with emphasis that the final draft of SERAL 2.0 documents should retain all existing language as currently noted in Sections 2.09 and 2.12.K.viii of the DEIS, in order to ensure that the FS remains in alignment with existing federal laws and public land management policies during implementation of this project.**

At the same time, we assert that within the scope of the current DEIS, the FS has fallen short of the need to adequately evaluate OHV and outdoor recreation as positive drivers of project success.

We ask the FS to incorporate robust analysis of impact on OHV, camping, and other outdoor recreation as a component of the final project plan, and within that analysis, to identify where the construction of temporary roads for the purpose of SERAL 2.0 may overlap with opportunities to enhance the SNF system of OHV roads and trails. Where opportunities for OHV system enhancement are identified, we ask that SNF recommend such temporary roads for further analysis to be considered for official designation in the SNF Motor Vehicle Use Map (MVUM).

A significant volume of OHV roads, improved campsites, and dispersed camping areas have been closed and decommissioned by SNF over the course of the last several decades. While these historical closures occurred for a variety of reasons, it is pertinent for SNF to thoroughly evaluate the impact of those closures in relationship to the scale of destruction inflicted by the Rim Fire, as well as the impact on wildfire prevention. OHV roads, improved campsites, and dispersed camping not only serve to create a thriving economy for outdoor recreation, they also function as vital infrastructure for prevention of catastrophic wildfire and support of wildfire fighting efforts. OHV roads form natural fuel breaks across the landscape. They also provide routes for firefighters to access remote back country terrain that is



otherwise difficult, if not impossible, to address during a wildfire event. Improved campsites and dispersed camping areas provide staging sites for firefighters to establish functional base camps, store and repair equipment, and shelter firefighters throughout the extended timeframes that are often required to extinguish a wildfire.

OHV roads and trails serve as vital fuel breaks to prevent and slow the spread of wildfires across the forest landscape, and to provide firefighters with access to quickly deploy into remote areas of the forest when wildfires occur. Within the Bureau of Land Management (BLM) Environmental Assessment for the Williams Hill Recreation State Plan, the BLM accurately stated on pages 24-25 of the [planning document for WHRA](#)⁴,

“OHV routes and Staging Areas act as fuel breaks, since the vegetation along them is cleared... Construction of OHV routes and Staging Areas will effectively create new, secondary, permanent fuel breaks... OHV routes also serve to provide vehicle access to [remote] areas in order to suppress wildfires or conduct other resource management activities such as removal of dead or dying trees to reduce fuel load.”

Cal4Wheel urges SNF to leverage SERAL 2.0 to revisit analysis and designation of un-inventoried, non-system, and user-created roads and trails to ensure maintenance of vital infrastructure for wildfire prevention, and access for wildfire suppression.

Implementation of forest rehabilitation and fuel management provides an ideal opportunity to re-open or create OHV roads and trails that align with broader forest management objectives, and serve long-term landscape management needs, while increasing public safety through ingress routes for firefighters and first responders. Whereas another federal agency, BLM, has clearly recognized and acted on leverage of OHV roads and trails as vital fuel breaks on public lands, it is imperative that the FS, as a sister federal agency, should do the same. In accord with the statement of need for SERAL 2.0, restoration of previously closed OHV routes would serve to improve catastrophic wildfire prevention within and around SNF, thus serving the best interests of wildlife and habitat through the project footprint, as well as the safety of humans who work and recreate in and near the project area.

For the reasons cited above, we urge SNF to include comprehensive analysis of immediate and cumulative effects on OHV and outdoor recreation interests within the analysis and final decision documentation of SERAL 2.0. This will allow SNF to maintain full alignment with the stated need for this project, as well as with NEPA requirements to ensure consideration for social and economic impact. In so doing, we ask the FS to include an itemized inventory of OHV roads, improved campsites, and dispersed camping areas that fall within the SERAL 2.0 footprint that have been closed or decommissioned from 1980 to the present date. We further ask the FS to incorporate restoration of those OHV roads, campsites, and dispersed camping into the scope of plan for SERAL 2.0.

To support efforts to develop a full inventory, Cal4Wheel offers volunteers through membership to survey and itemize the terrain across the project footprint and surrounding areas.



Additionally, to support fuel reduction and restoration efforts now, and long-term maintenance in the future, Cal4Wheel offers support through membership volunteers. Cal4Wheel takes pride in a long history of contribution to construction, improvement, and maintenance of OHV roads, trails, and campsites through club “adoption” of specific sites as long-term commitments. We ask SNF to consider this tangible offer of support as part of the resources available to ensure the success of SERAL 2.0 and post-project maintenance.

Furthermore, we request the following project design features be incorporated into the project and contract designs.

- **Forest roads and trails within project boundaries shall be shown as a protected facility on the contract map**
- **Hazard trees along roads and trails within project boundaries are removed for a minimum extent of 200’ from the edge of each road and trail**
- **Road and trail management conditions shall not be degraded as a result of project activities**

These contract design requirements will ensure needed protections for the SNF transportation system and OHV routes that are available for public use.

NEPA Alternatives Requirements

In accord with Congressional mandates and FS protocol for management decisions, SERAL 2.0 is subject to NEPA requirements. NEPA imposes a mandatory procedural duty on federal agencies to consider a reasonable range of alternatives to proposed actions or preferred alternatives analyzed during a NEPA process. 40 C.F.R. § 1502.14; 40 C.F.R. § 1508.9. “[A]gencies shall rigorously explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. § 1502.14. The alternatives section is considered the “heart” of the NEPA document. 40 C.F.R. § 1502-14 (discussing requirement in [D]EIS context).

The legal duty to consider a reasonable range of alternatives applies to both EIS and EA processes. *Surfrider Foundation v. Dalton*, 989 F. Supp. 1309, 1325 (S.D. Cal. 1998) (citing *Bob Marshall Alliance v. Hodel*, 852 F.2d 1223, 1229 (9th Cir. 1988) (“Alternatives analysis is both independent of, and broader than, the EIS requirement.”)).

A NEPA analysis must “explore and objectively evaluate all reasonable alternatives.” 40 C.F.R. § 1502.14 (EIS); *Id.* at § 1508.9 (EA); *Bob Marshall Alliance*, 852 F.2d at 1225 (applying reasonable range of alternatives requirement to EA). A NEPA analysis is invalidated by “[t]he existence of a viable but unexamined alternative.” *Resources, Ltd. v. Robertson*, 35 F.3d 1300, 1307 (9th Cir. 1993).

The reasonableness of the agency’s choices in defining its range of alternatives is determined by the “underlying purpose and need” for the agency’s action. *City of Carmel-by-the-Sea v. U.S. Dept. of*



Transportation, 123 F.3d 1142, 1155 (9th Cir. 1997); Methow Valley Citizens Council v. Regional Forester, 833 F.2d 810, 815-816 (9th Cir. 1987), rev'd on other grounds, 490 U.S. 332 (1989). The entire range of alternatives presented to the public must "encompass those to be considered by the ultimate agency decisionmaker." 40 C.F.R. § 1502.2(e).

The agency is entitled to "identify some parameters and criteria—related to Plan standards—for generating alternatives...." Idaho Conservation League v. Mumma, 956 F.2d 1508, 1522 (9th Cir. 1992). However, in defining the project limits the agency must evaluate "alternative means to accomplish the general goal of an action" and cannot "rig" "the purpose and need section" of a NEPA process to limit the range of alternatives. Simmons v. U.S. Army Corps of Engineers, 120 F.3d 664, 669 (7th Cir. 1997) (emphasis added).

An agency must perform a reasonably thorough analysis of the alternatives before it. "The 'rule of reason' guides both the choice of alternatives as well as the extent to which an agency must discuss each alternative." Surfrider Foundation v. Dalton, 989 F. Supp. 1309, 1326 (S.D. Cal. 1998) (citing City of Carmel-by-the-Sea v. United States Dept of Transportation, 123 F.3d 1142, 1154-55 (9th Cir. 1997)). The "rule of reason" is essentially a reasonableness test which is comparable to the arbitrary and capricious standard. Idaho Sporting Congress v. Thomas, 137 F.3d 1146, 1150 (9th Cir. 1998) (quoting Marsh v. Oregon Natural Resources Council, 490 U.S. 360, 377 n. 23 (1989)). "The discussion of alternatives 'must go beyond mere assertions if it is to fulfill its vital role of 'exposing the reasoning and data of the agency proposing the action to scrutiny by the public and by other branches of the government.'" State of Alaska v. Andrus, 580 F.2d 465, 475 (D.C. Cir. 1978), vacated in part on other grounds, Western Oil & Gas Association, 439 U.S. 922 (1978) (quoting NRDC v. Callaway, 524 F.2d 79, 93-94 (2nd Cir. 1975)).

NEPA) requires agencies to consider a range of viable alternatives, and the recreation interest in SNF justifies the inclusion of analysis of impact on public access to outdoor recreation as a component of this project. Disregard for a recreation alternative for this project fails to fulfill requirements of NEPA analysis in multiple ways:

- Agencies shall rigorously explore and objectively evaluate all reasonable alternatives
- Alternatives analysis is both independent of, and broader than, the EIS requirement
- The entire range of alternatives presented to the public must encompass those to be considered by the ultimate agency decisionmaker
- In defining the project limits the agency must evaluate alternative means to accomplish the general goal of an action and cannot "rig" "the purpose and need section" of a NEPA process to limit the range of alternatives
- An agency must perform a reasonably thorough analysis of the alternatives before it; the "rule of reason" guides both the choice of alternatives as well as the extent to which an agency must discuss each alternative
- The discussion of alternatives must go beyond mere assertions if it is to fulfill its vital role of exposing the reasoning and data of the agency proposing the action to scrutiny by the public and by other branches of the government



Cal4Wheel objects to the absence of a recreation alternative to include analysis of enhancing SNF's infrastructure of outdoor recreation facilities, including the OHV road and trail system, designated campsites, dispersed camping, and staging areas for other various outdoor recreation activities, based on the legal precedent that a NEPA analysis is invalidated by the existence of a viable but unexamined alternative. As remedy, SNF should incorporate a true recreation alternative into the scope of potential implementation for this project.

Users with Disabilities

We recommend that the FS use SERAL 2.0 to finally begin to reverse its decades-long systematic discrimination against those with mobility-impairment-related disabilities. The FS has committed to manage our public lands for public benefit. Forest closures, including OHV road closures, that eliminate or restrict motorized access create discrimination against people with disabilities. We believe that maintaining motorized access to public lands is critically important, as it provides a mode of access that persons with disabilities can use and enjoy.

On his first day in office, Biden issued an ["Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government \(EO13985\)"](#)⁵. This executive order established "an ambitious whole-of-government equity agenda" which focuses on addressing "entrenched disparities in our laws and public policies," and mandates a "comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality."

Under this executive order, "The term 'equity' means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as ... persons with disabilities...." Historically, there has been no group more greatly marginalized and excluded by public land management policies, and motorized travel management policies in particular, than people with disabilities. Outdoor enthusiasts with ambulatory disabilities frequently rely on motorized travel as their sole means to enjoy recreating on public lands. Not everyone has the ability to hike into a remote back country area, but many such people are still able to drive Jeeps, side-by-sides, and ATVs, which are restricted to the designated motorized route network.

Motorized access eliminates ableist bias in forest management policies, which aligns with the goals of EO13985. Management policies that focus on minimizing motorized recreation have caused significant decrease in public access to public lands over many decades; this has disproportionately impacted people with disabilities. In alignment with EO13985, we urge the FS to advance equity in public access to SNF by removing policies that discriminate against those with disabilities.

For SERAL 2.0, we ask that the FS to explicitly note within project documents that:

- **All existing roads and trails must be preserved**
- **Maintenance must be conducted to retain all roads and trails that are created for the purpose of implementing this project (rather than decommissioning them)**



- **All roads and trails that have been closed within the project boundaries since 1980 be analyzed for reopening as part of the project plan**

Social & Economic Impact

The US Forest Service motto is “Caring for the Land and Serving People.” In alignment with this motto, we advocate for consideration of social and economic impacts within FS management policies generally, and within the scope of impact for SERAL 2.0 specifically. The negative economic impact from the Creek Fire was massive for Calaveras, Tuolumne, and Mariposa counties. The Rim Fire created especially difficult hardship for the foothill and mountain communities in and near SNF. Fuel reduction and vegetation management to prevent future incidents of catastrophic wildfire in SNF bear great potential to rebuild and revitalize this sector of the economy and local communities.

Socioeconomic loss from catastrophic wildfire has both immediate and long-term impacts including loss of economic viability across the community due to forest closures that halt public access, outdoor recreation, and tourism across the region from regular seasonal ventures such as OHV and snowmobile excursions, camping, hiking, hunting, fishing, foraging, and related activities. Catastrophic wildfire is the attributed cause of an [estimated \\$150 billion in financial loss in California in 2020](#)⁶. In addition to the forms of loss as noted above, this estimate also includes economic losses related to highway closures, evacuations, increased insurance premiums, firefighting costs, flight cancellations and health effects by hazardous air conditions.

We call attention to the fact that the DEIS demonstrates improvements in project consideration of the direct social and financial impact on local communities and outdoor recreation organizations like ours, as compared to Scoping documents. We appreciate that Section 1.03 of the Purpose and Need, to “Provide Social and Economic Opportunities to Local Communities” (pages 15-16)¹ includes language that speaks to the direct correlation between effective forest management and local employment, local services, community infrastructure, and forest-based economic drivers including tourism and timber. It is evident that the FS utilized public input from the Scoping phase of this project to increase the depth and relevance of project planning specific to socio-economic impacts, as demonstrated in DEIS Volume 2: Response to Comments, specifically, response #78¹.

We urge SNF staff to retain all existing language as currently noted within the DEIS in Section 1.03 within the final draft of SERAL 2.0 documents in order to ensure that the FS remains in alignment with existing federal laws and public land management policies during implementation of this project.

We further ask the FS to seriously, carefully, and thoroughly evaluate socioeconomic impacts when considering the scope of timber salvage activity through implementation of SERAL 2.0.

The FS carries the weight of responsibility for potential negative socioeconomic impacts that would be caused by negligence to implement broad-scale fuel reduction and habitat restoration, as the FS also



carries the responsibility of managing public lands within SNF. There are many private citizens who, as residents, business owners, and outdoor recreationists within SNF boundaries, have advocated for many years to request that SNF engage in effective fuel reduction and vegetation management. Many of these private citizens would in fact have taken part in thinning trees, underbrush, deadwood, and excess biomass in SNF if it were permissible for private citizens to do so. Whereas SNF is FS managed land, the FS bears responsibility for vegetation management and bars private citizens from implementing such projects independently. At this point in time, with the Rim Fire as an incident of hindsight for us to reflect on, it is abundantly clear that lack of effective vegetation management within SNF by the FS was a massive contributing factor to the scale of destruction that the Rim Fire inflicted on over 257,000 acres of public and private land. With widespread understanding of the value and critical need for effective vegetation management within SNF, a choice to continue previous vegetation management practices and NOT implement significantly expanded fuel reduction measures for catastrophic wildfire prevention, could be assessed as an act of intentional or gross negligence by the FS – negligence that bears immediate, persistent, and severe socioeconomic hardship on the citizens of California, especially those who reside in the counties immediately surrounding SNF.

Of equal importance to assessing the socioeconomic loss from catastrophic fire, is assessment of socioeconomic gain through implementation of fuel reduction and vegetation management projects that would restore SNF to greater resilience to future fire incidents. The unburned landscape within SNF has become severely overgrown with an excess of trees, underbrush, deadwood, and other biomass. This is an issue that has developed over many decades, and thus, the core factors are fully understood. If SNF is to be restored to healthy and resilient status, it is critical to resolve over densification through logging, salvage, and removal of excess timber and deadwood. Congressman Tom McClintock correctly stated in a [presentation](#)⁷ to support The Resilient Federal Forest Act of 2015, “There’s an old adage that excess timber comes out of the forest one way or the other. It’s either carried out, or it burns out.”

In fact, excess timber has not been effectively removed from federally managed forest lands for over 30 consecutive years. As noted in an [article](#)⁸ sharing critique of the role of extreme environmentalism as a direct causal factor for extreme wildfire in California, from 1960 to 1990, 10.3 billion board feet of timber were removed from federal forest land each year. From 1991 to 2000 that number dropped to 2.1 billion board feet of timber per year, and has [remained at an average of about 2.5 billion board feet per year](#)⁹ from 2000 to 2021. Simple calculations quickly demonstrate how the dramatic decrease in removal of timber from federally managed land for over 30 years has contributed to overly dense, fire prone forests.

Removal of excess timber would stimulate socioeconomic health in the communities that lie in and near SNF through growth in jobs and commerce. Forestry and outdoor recreation represent vital components of the economy in the communities that are local to SNF. [In 2020, national GDP from the outdoor recreation industry produced \\$374 billion](#)¹⁰. California takes the lead in financial value added by outdoor recreation over other states across the nation, contributing nearly 12% of the national total, equating to [\\$44 billion in GDP in 2020](#)¹¹. Of that \$44 billion, \$1.2 billion is attributed directly to the forestry industry.



We urge SNF to maximize implementation of fuel reduction and vegetation management within the scope of SERAL 2.0 in order to optimize the broad socioeconomic benefits that this project will facilitate through timber harvest, salvage, and sale.

We have concern that within the “Emergency Action Determination, Multiple Decisions, and Administrative Review Opportunity” section of the DEIS (page 10)¹, it is stated that:

“Public comments received during scoping suggested the proposed use of herbicides for fuelbreak maintenance and the salvage of insect-, disease-, drought-, and fire-killed trees may not warrant use of the Western Fireshed Emergency Action Determination (EAD, BIL 40807) because they may not be imminently implemented. In response to this feedback the responsible official will prepare more than one decision after close of this 45-day DEIS comment period, review of the DEIS comments, and preparation of the Final Environmental Impact Statement (FEIS).”

Limitation or delay of timber salvage will negatively impact local communities, the local economy, and detract from the stated goals for SERAL 2.0 to enhance the ecological health of landscape and habitat within the project footprint. Timely salvage is imperative to ensure effective treatment at scale. Dead trees retain commercial value for processing for a very short window of time. [The longer trees are left dead either standing or felled on the forest floor, the more their wood is degraded in value by fungi and insects](#)¹². It is critical to note, for the purposes of economic viability for salvage activities, [the most suitable time to salvage trees for the production of lumber in stands killed by either insects or fire is generally limited to 1–2 years after death](#)¹³. Immediate salvage of trees is critical to ensure that they do not lose commercial value within 2 years of being killed by fire or insects. Thus, it is essential that SERAL 2.0 project scope will allow for immediate salvage of suitable timber following prescribed burns, and immediate salvage of insect-infected trees that are identified throughout SNF during the course of SERAL 2.0 implementation. The USDA National Forest’s typical timeframe of preparing a fire salvage NEPA document is 1.5-2 years. Such delay results in thousands of acres of dead trees left behind because of a lack of funding and operational capacity to remove the negative-value biomass. Additionally, immediate removal of salvage biomass facilitates forest reforestation and rehabilitation, allowing saplings to regrow quickly and reducing competition with ground and shrub vegetation.

In addition to immediate salvage of felled timber, we recommend that SNF consider the use of biomass processing as a solution to remove the excessive buildup of dead biomass that has resulted from the Rim Fire, beetle infestations, drought, and historic mis-management of the forest landscape through the last several decades of severe restrictions on logging and timber extraction. Biomass power is carbon neutral electricity generated from the reuse of renewable wood, wood byproducts and wood residues. Instead of burning non-renewable fuels such as coal, petroleum and natural gas, [biomass power plants convert low-value wood to produce clean, renewable electricity](#)¹⁴ by efficiently combusting them in modern boilers under tightly controlled conditions. Unlike other renewable technologies, biomass produces benefits beyond its avoidance of fossil fuel use. Biomass power contributes to air pollution reduction efforts through the avoidance of open-burning and landfill diversion, both which also produce harmful climate change gases. [Biomass processing facilities are located throughout California](#)¹⁵, including Sierra Pacific Industries, which is located just outside of SNF in Sonora.



The buildup of excess biomass resulting from wildfire, prescribed fire, insect infestation, drought, managerial neglect in effective forest management practices, among other causes – not only negatively impacts socioeconomic considerations, but also places members of the public who live near and recreate in SNF at tremendously higher risk for public health and safety considerations. Severe excess biomass that is now the reality of the landscape in SNF dramatically increases the likelihood of future catastrophic wildfire events, such as we experienced in the Rim Fire. It also creates unnecessary increase of hazards from falling trees and tree limbs, and decreased ability for the public to traverse the forest floor.

In order to support the socioeconomic values of the general public, ensure public health and safety, and effectively support the stated goals within the Purpose and Need (page 11)¹, to:

- **Increase Landscape Resilience to Natural Disturbances**
- **Increase forest heterogeneity (within- and between stands).**
- **Reduce stand densities.**
- **Reduce surface and ladder fuels.**
- **Increase management by fire, both prescribed and managed wildfire.**
- **Salvage drought, insect, disease, and wildfire disturbed areas.**
- **Provide Economic Opportunities to Local Communities.**

We ask SNF to implement immediate salvage of wildfire-killed and prescribed fire-killed trees, and removal and salvage of all excess biomass, within the final draft decision for scope of SERAL 2.0.

Wild and Scenic Rivers

We are concerned that in relationship to Wild and Scenic Rivers (WSR) the directives for project implementation as noted in the DEIS dictates unnecessary limitations to implementation that are both contrary to and counter-productive to the stated Purpose and Need for SERAL 2.0. Section 2.08 of the DEIS, “Temporary Road Construction” (page 37)¹, states that

“No temporary road construction will occur in Inventoried Roadless Areas or Wild and Scenic River corridors.”

Additionally, Section 2.12.F.vii of the DEIS (page 47), “Management Requirements, Vegetation Management,” directs SNF staff to:

“Do not construct temporary roads within ¼ mile of an eligible Wild and Scenic River.”

Issue 4B of the DEIS (page 94-95), suggests that:



"The proposed action may impact the characteristics of eligible and designated wild and scenic river segments... Three eligible (suitable) and one designated Wild and Scenic River run through the SERAL 2.0 project area. To be eligible for inclusion in the National Wild and Scenic Rivers System pursuant the Wild and Scenic Rivers Act, a river segment must be free-flowing and, in combination with its adjacent land area, possess one or more outstandingly remarkable values (ORVs)... Categories of ORVs, as defined in the Act, include scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values... Each of these river's segments are free-flowing and have one or more ORVs identified which make them unique among rivers of the United States (USDA 2017). The noticeable or distinctive ORVs identified for each of the segments vary (Table 32). Treatments are only proposed within the Clavey River WSR 0.25-mile buffer, therefore the remaining WSRs will not be addressed further in this analysis."

The one designated WSR is the Tuolumne; the three eligible WSRs are the Clavey, Stanislaus, the North Fork of the Stanislaus, and the Middle Fork of the Stanislaus. The total acreage of project area impacted within the WSR corridors is 7,478. Table 33 of the DEIS (page 96) reveals that only 828 acres of landscape within the 7,478 acres of designated and eligible WSR corridors will be treated. Within the treatment specification for the 828 acres, no forest thinning will be implemented, treatment will be solely comprised of fuel reduction and prescribed fire. outstanding remarkable values of Wild & Scenic River corridors. This means that 7,478 acres of public land in SNF will receive zero forest thinning, while 6,650 will only receive fuel reduction treatments.

If forest thinning is a critical need to achieve the goals stated within the Purpose and Need for the 162,000 acres encompassed within the SERAL 2.0 project footprint, it is difficult to conclude how forest thinning is not a critical need for the 7,478 acres that lie within WSR corridors. Similarly, it is insensible to conclude that 6,650 acres is not in need of fuel reduction treatments. If fuel reduction treatments are appropriate for implementation within portions of the Clavey River corridor, then they are logically appropriate within all WSR corridors. If forest thinning is needed across the full span of 162,000 acres for SERAL 2.0, then it is also certainly needed within all WSR corridors. There is insufficient evidence provided in the DEIS to justify the exclusion of the full scale of SERAL 2.0 actions within WSR corridors, while there is ample evidence that demonstrates the positive impacts on the forest's ecological health, wildlife stewardship and habitat conservation, catastrophic wildfire prevention, and fire resilience.

Thus, the exclusion of WSR corridor acreage from the full scale of SERAL 2.0 action is an arbitrary and capricious management directive that does not support effective project implementation. The justification provided for exclusion of WSR corridors from SERAL 2.0 action is wholly insufficient. Additionally, there is no existing law or policy that requires public land managers to exclude WSR corridors from the actions proposed in SERAL 2.0.

Furthermore, there is no reasonable justification for exclusion of the use of temporary roads to achieve the goals of SERAL 2.0 within WSR corridors. [The Interagency Wild & Scenic River Council, a partner of the USDA Forest Service, provides clarity on the scope of permissible road, trail, and recreational facilities within WSR corridors](#)¹⁶:



"Road, trail, recreational facilities (e.g., campgrounds), and other infrastructure on federal lands may be allowed in wild and scenic river corridors, consistent with classification and protection of river values. Roads and recreational facilities are generally prohibited in wilderness. However, trail, trail bridges and other accommodations to allow recreation use and protect wilderness resources may be allowed."

Not only are roads, trails, and facilities permissible within WSR corridors, they are clearly, inarguably permissible within the context of implementing forest management action that protect the health and safety of the landscape and habitat, as SERAL 2.0 is designed to achieve.

Given the arbitrary and capricious nature of exclusion of project implementation within WSR corridors, we ask SNF to revise SERAL 2.0 directives and requirements to include all project actions, including forest thinning and fuel reduction, across all 7,478 acres of public land contained within designated and eligible WSR segments that fall within the footprint of this project.

Closing

We would like to close by acknowledging that SERAL 2.0 presents SNF with an important opportunity to positively impact not only the rehabilitation and future ecological health of the forest, but also revitalization of communities, local economies, public safety, and access to public lands. Effective implementation of this project will not only serve to preserve SNF from risk of damage from future catastrophic wildfire, and restore the forest to a healthy and flourishing landscape, it will increase social and economic welfare of local communities through enhanced safety and access for outdoor recreation opportunities, increase economic growth and sustainability for local communities through timber harvest, tree salvage, and other forest industry opportunities, increase public access to outdoor recreation, and decrease discrimination of disabled persons to access outdoor recreation.

California Four Wheel Drive Association would like to be considered an interested public for this project. Information can be sent to the following address and email address:

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Sincerely,

Rose Winn
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California Four Wheel Drive Association



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