GHCC GREATER HELLS CANYON COUNCIL

April 8, 2024

US Forest Service, Wallowa-Whitman National Forest
Whitman Ranger District
Attn: Stephaney Kerley, Acting District Ranger
1550 Dewey Ave, Ste A
Baker City, OR 97814

Submitted electronically to https://cara.fs2c.usda.gov/Public//CommentInput?Project=58480

RE: Comments on Baker City Watershed Fuels Management Project draft EA

Dear Ranger Kerley,

I am writing on behalf of the Greater Hells Canyon Council (GHCC) regarding the draft Environmental Assessment for the Baker City Watershed Fuels Management Project ("project"). GHCC is a non-profit conservation organization based in Northeast Oregon. We were founded in 1967 (as Hells Canyon Preservation Council), and our mission is to connect, protect, and restore the wild lands, waters, native species and habitats of the Greater Hells Canyon Region, ensuring a legacy of healthy ecosystems for future generations. GHCC actively participates in Forest Service proceedings and decisions concerning the management of public lands within the Wallowa Whitman National Forest. We are an "interested public" for timber sales.

Introduction
GHCC has been involved with this project since its inception in 2022. We appreciated the ability to attend the open house on August 17, 2022, and the Forest Service ("agency) staff's responses to our scoping comments. Thank you, sincerely, for the opportunity to provide these comments.

Comments on the Proposed Action

Overview
Generally speaking, we support a strategic approach to fuel reduction treatments with a goal to protect values at risk and the safety of the public and fire management workers, and to reintroduce fire back onto the landscape.

We very much appreciate that the overall approach of the Baker City Watershed Fuels Management Project is focused on limited vegetation treatments on specific and strategic locations on the landscape to assist fire managers in the event of a wildfire, rather than widespread and /or heavy logging across extensive forest acreage. Ideally, this approach will lead to an increased ability for fire itself to provide fuel reduction and forest restoration benefits when managed under appropriate conditions. Thank you.

At the same time, we have significant concerns with aspects of the proposed management activities and details of implementation.

We appreciate your careful consideration of our concerns and our recommendations as you proceed towards selecting an alternative and implementation.

Additionally, please be aware that the draft Environmental Assessment contains numerous sections that we found confusing. Numerous formatting issues and spelling errors make parts of the document very challenging to understand. References to other projects and places are confusing and do not seem to apply to the Baker City Watershed project. An entire part of the "Potentially Affected Environment" section was apparently copied and pasted from a forest in Washington without edits. This is frustrating and leads to uncertainty regarding the overall accuracy of the document. We understand and appreciate that creating a document of this complexity takes significant time and effort. However, please be aware that members of the public carefully review the draft Environmental Assessment so that we can provide substantive comments to the Forest Service. We do so with faith that our input may positively affect the outcome of projects. Thank you for your attention to this aspect of the draft Environmental Assessment.

Removal of Trees 21" DBH or Greater

We appreciate that the agency took the time to create and analyze Alternative 3 which does not include the use of the amended Eastside Screens. The Proposed Alternative (Alternative 2) would utilize the Forest Management Direction for Large Diameter Trees in Eastern Oregon and Southeastern Washington Environmental Analysis. However, on March 29, 2024, Judge Ann Aiken affirmed a lower court's ruling that the Forest Service's 2021 Amendment to the Eastside Screens which eliminated the 21-inch rule was unlawful under NFMA, NEPA and the ESA and that the Screens Amendment should be vacated. See Greater Hells Canyon Council v. Wilkes, Case No. 2:22-cv-00859-HL, ECF 104 (March 29, 2024). The judge ordered a vacatur of the Screens Amendment, issued an injunction, and ordered the USFS to prepare an Environmental Impact Statement. Vacatur of the Screens Amendment results in the reinstatement of the 21-inch rule as the controlling Forest Plan standard with which this project must be consistent. *16 U.S.C. § 1604(i).*

Fortunately, the agency has already prepared and analyzed Alternative 3, which does not include removal of large trees, and will meet the purpose and need of the project. Please confirm that the project will not authorize cutting of any trees over 21 inches, consistent with the original 1994 Eastside Screens.

Inventoried Roadless Area (IRA) - Fuel Blocks & Defensible Fuel Profile Zones

The Inventoried Roadless Areas were created by the 2001 Roadless Rule to provide lasting protections for these important remaining wild areas. IRA forests, their habitats, and their soils are ecologically important and deserve protection from the environmental impacts of mechanized equipment.

We appreciate that there are no commercial logging /thinning treatments proposed within the IRAs. We are very supportive of the use of prescribed fire here and elsewhere in the project area. We appreciate the description of prescribed burning in the IRAs provided in the draft EA.

After engaging in the scoping period and discussing the project with staff at the Open House, our understanding is that there would not be any mechanized entry into the IRAs. However, we do not see this clearly stated in the draft EA.

From the Silvicultural Report, it's our understanding that "DFPZ treatments will be a combination NCT and prescribed burning dependent on the existing condition of vegetation" (pg 27) and that "slopes over 30% would be hand piled and slopes under 30% would be grapple piled" (pg 27-28). This means mechanized entry for both the equipment completing grapple piling and mastication. **Please clarify that these mechanized treatments would be limited to DFPZ treatments outside of the IRAs.**

As per our scoping comments, we are willing to offer narrow and conditional support of a limited amount of hand fuel reduction work to create Defensible Fuels Profile Zones in strategic locations such as ridgetops to facilitate fire management. We cannot support mechanized entry into Inventoried Roadless Areas and urge the agency to clarify that there will be no mechanical treatments inside the IRAs.

The goals of the project's Purpose and Need can be successfully achieved through the use of non-mechanized hand thinning, piling, lop and scatter, and similar non-mechanized approaches. Please limit DFPZ treatments in the IRAs to non-mechanized methods.

Management within Old Growth Preservation Stands (MA-15)
In both Alternative 2 and 3, there are 2,154 acres proposed for treatment in MA-15, consisting of 443 acres of non-commercial thin/prescribed fire and 1,711 of prescribed fire only. Similar to our comments above, we have concerns about potential mechanized treatment inside MA-15 stands.

It's important to note that Old Growth Preservation Stands are important not only for their large trees, but for the overall complexity and "messiness" provided by the entirety of the late seral forest ecosystem. This includes smaller trees, duff and litter piles, downed wood, and a variety of other values not desirable from a fuels standpoint. As more parts of the project area are thinned and burned, the ecological value of more untouched areas like MA-15 stands only increases. As the Wildlife report states, "remaining potential black-backed woodpecker habitat would occur in untreated areas within and outside of RHCAs and MA-15 (Old-Growth) areas as well as additional areas where higher stand densities are maintained within connectivity corridors" (p 43 wildlife report).

There seems to be substantial overlap between the several MA-15 areas and proposed DFPZs, especially on the North end of the project area. How will treatments be tailored to fit these unique values of MA-15 acres? Will grapple piling and mastication be used on slopes under 30% here as well?

We encourage the Forest Service to take a hard look at the actual need for the 443 acres of non-commercial thinning to create DFPZs in Old Growth Preservation (MA-15) forests. If the need for non-commercial thinning is considered essential in these Old Growth Preservation forests, we strongly recommend that these treatments will be limited in their extent, and also limited to the use of non-mechanized hand thinning, piling, lop and scatter, and similar non-mechanized approaches.

Finally, we very much appreciate that the Forest Service is not proposing commercial logging in the Old Growth Preservation (MA-15) forests. Thank you.

Wildlife
We appreciate the robust detail included in the Wildlife Biological Evaluation and Wildlife specialist reports. We also appreciate the planned retention of all snags (except those that are safety risks), retaining dwarf mistletoe at endemic levels, and retaining grand fir with heartrot decay/ wildlife cavities. We are also glad to see an increase in elk security, even if only by a few percentage points.

After reviewing the maps included in the analysis folder, it's not clear how the agency is planning to link the old growth areas and how that will affect the treatments. Was a map missing? The Silvicultural report makes it clear that forest plan standards for connectivity will be met, and that "retention levels resulting from treatment prescriptions are expected to exceed the top 1/3 of site potential for canopy closure, by

thinning to the upper management zone as defined by the Stand Density Index" (pg 27), but we encourage Silviculture and Wildlife to work together to go beyond the bare minimum, especially on metrics like corridor width, retention of dead/down wood, and retaining some structure below the canopy. We recommend that habitat corridors will be defined by habitat features such as including the full extent of a delineated forest stand, plant associations, topographic features, riparian areas, and other features that may enhance wildlife connectivity across the landscape. As stated above in the MA-15 section, it's critical to keep some messiness and habitat complexity in and outside of connectivity corridors. Canopy cover is only one piece of the equation, but lower level vegetation (live and dead) is crucial for various species of wildlife throughout their life cycles.

We would also like to see that the agency gave due consideration to ODFW's Priority Wildlife Connectivity Area (PWCA) data, which highlights the relationship between federal and non-federal lands in creating corridors and core habitat areas. There are several units throughout the project area that overlap with PWCAs - Elk Creek is an important "connector" area, and near its headwaters it connects to Bridge Creek and Phillips Lake via another connectivity corridor mapped by ODFW. There is also a core area ("region"), near the Elk Creek headwaters. Regions are " delineated from the combined top 1% of connectivity priorities across all 54 Oregon Connectivity Assessment and Mapping Project surrogate species. Regions are large, contiguous areas and represent the highest-value habitat for facilitating species movement throughout the state".[1]

There are treatments that overlap with these areas, including polygons with the highest level of conservation action recommendation "protect". Please use this data to alter or shift implementation plans - small changes can make a difference!

Riparian Habitat Conservation Areas

Protecting entire riparian systems, including the upper reaches and headwaters, is imperative in order to maintain hydrologic function and the full suite of habitats needed for fish and wildlife throughout their life cycles. Riparian areas are ecologically important and sensitive areas and they are incredibly valuable for fish and wildlife and habitat connectivity. Clean water and healthy hydrology depend on healthy riparian ecosystems.

The draft EA states that conditions in these areas have moved away from historic composition and structure. We have also been told that there is no HRV for riparian areas specifically. How is the agency making these determinations? Please explain.

Riparian areas are frequently used as travel corridors for wildlife, and are important calving/rearing habitat for elk and other game species. This should be taken into consideration when planning implementation timing.

We have numerous concerns about planned treatments within the RHCAs that are referenced in other areas of our comments. As stated above, removal of trees >21" DBH is not appropriate. We also remained very concerned about impacts from steep slopes logging in RHCAs. See the Tethered Logging section below.

[1] https://oregonconservationstrategy.org/success-story/priority-wildlife-connectivity-areas-pwcas/#:~:text=Regions%20are%20large%2C%20contiguous%20areas,movement%20from%20Region%20to%20Region.

There are a variety of sensitive plant species throughout the project area, including in the RHCAs. Special care must be taken in these areas, and we encourage Silviculture to work with the Botany team early to identify likely problem areas.

We appreciate that riparian hardwood species would be identified and protected. We recommend that any cutting of conifers to enhance native riparian hardwoods be accomplished with hand thinning and non-mechanized slash treatments.

As described above, Riparian Habitat Conservation Areas are ecologically important and deserve the highest level of concern and protection. Our Scoping comments requested that riparian fuel reduction treatments be limited to hand work only. We see that this concept was described in the draft EA under "Issues considered for Analysis" (page 20). However, we see that 298 acres of RHCA habitat is proposed for "commercial thinning from below" logging for both action Alternatives 2 and 3 (page 15 draft EA). Additionally, machine grapple piling is proposed for 345 acres. We strongly encourage the Forest Service to take a hard look at the actual need for fuel reduction in the RHCAs. We believe that the Purpose and Need for this project can be met without the use of mechanized equipment in the RHCAs. As the analysis and implementation of the project proceeds, please protect the RHCAs from mechanized equipment. Any necessary treatments can be accomplished using hand crews without mechanized equipment.

Finally, thinning in riparian areas increases access to cattle and resulting impacts to water quality and riparian ecosystems. Please address this important concern.

Logging in Moist and Cold Forests

Logging (commercial thinning) moist and cold forests to increase fire-resistance is a controversial practice without a solid basis in scientific research. Fire ecology in moist and cold forests is complex. Logging that opens the forest canopy increases solar penetration of the lower canopy and forest floor. Wind penetration also increases. This can cause drying and warming of fuels and soils. These conditions would result if moist and cold forests were logged to a residual forest of the Lower Management Zone, for example. If there are important strategic fuel breaks or safety corridors in moist and cold forests, please consider treating them using non-commercial hand thinning. Please do not include logging in moist and cold forests.

Whitebark Pine

We have concerns that widespread use of grapple piling and mastication will lead to impacts on whitebark pine. How is the agency proposing to mitigate this, and how does this square with a stated need to "maintain and restore" whitebark pine in the project area?

Roads

There are currently 58 miles of open roads in the project area. The agency is proposing to re-open some number of the ~57 miles of "stored" roads in the area, and according to the Soils Report, non-system roads in the project area were mapped at approximately 145 miles (pg 23). In addition to all of that, the agency is proposing to create an additional 10.3 miles of temporary roads. With 260 miles of existing road/route footprints, is creating an additional 10.3 miles of road truly necessary?

While elk are not the only important species, they are an effective indicator of habitat quality related to roads and disturbance. Nearly 2/3rds, if not more, of the project area is already not providing adequate elk security habitat. Only 7% of the project area is greater than 1 mi away from a road. When you couple that

with a lack of travel planning, road closures and rehab contingent upon available funds, and 145 miles of non-system roads, a case is easily made for not creating additional roads.

We realize that temporary roads are planned to be decommissioned after use. However, we've observed on this National Forest and elsewhere that temporary roads may become illegal motorized travel routes even after decommissioning.

Temporary roads are not temporary in impact. Temporary roads left in a state of non-use can have impacts on forests and soils that last for decades. The public often continues to use these roads long after implementation of camouflaging and other activities designed to leave them in a state of non-use. As a result, soil compaction, displacement, erosion, and sedimentation impacts will continue to persist. The permanent impacts of temporary road construction have been thoroughly documented.

We recommend any potential units that can only be accessed with temporary roads either be dropped and considered as wildlife refugia, or be non-commercially treated by hand crews. We recommend the same regarding reopening of closed roads, unless there are roads which are currently causing resource damage and that could be restored.

We encourage the Forest Service to limit the impacts of any roads to soils that were previously disturbed by past operations and to avoid creating negative impacts on previously undisturbed forest and grassland soils.

Please move forward with this project without creating any temporary roads.

Motorized Use of the Elkhorn Crest Trail

Motorized use of the Elkhorn Crest Trail creates a risk of fire ignitions immediately adjacent to the Baker City Watershed. Motorized vehicles are a significant potential source of undesirable wildfire ignitions. This is especially true when they are riding on single-track trails in proximity to dry vegetation. User-created trails and cross-country travel also increase the risk of undesirable fire ignitions. The southern portion of the Elkhorn Crest Trail passes immediately adjacent to the Baker City Watershed. One of the goals of the Baker City Watershed Fuel Reduction Project is to limit fire spread within the municipal watershed and transmission to and from adjacent private lands. This goal would be advanced by eliminating motorized use of the Elkhorn Crest Trail.

The northern portion of the Elkhorn Crest Trail includes the North Fork John Day Wilderness. Motorized use is illegal in the Wilderness Area. We have received numerous reports of illegal motorized and mechanized use of the Wilderness Area. Closure of motorized use of the southern end of the Elkhorn Crest Trail would improve legal compliance for the protection of the Wilderness Area.

Marble Pass Road

The conversion of the Marble Pass Road from a ML-2 road to a ML-3 was considered during Scoping. This conversion would result in significant impacts to Watershed itself and the fragile high elevation soils, plant communities, and habitats accessed by the Marble Pass Road. This included the whitebark pine ecosystems.

We appreciate the benefits of improving public access to this special part of the beautiful Elkhorn Range. However, the wide range of impacts must be considered, including unintended consequences. The Marble Pass Road allows public access through the interior of the Watershed, and of course, people are a major

source of wildfire ignitions. The risks associated with increased motorized use of this road within the Watershed must be carefully considered.

As we noted above, motorized use of the Elkhorn Crest Trail itself already creates a risk of fire ignitions immediately adjacent to the Baker City Watershed. Conversion of the Marble Pass Road would potentially increase this risk as well.

We are already aware of illegal activities in the Wilderness portions of the Elkhorn Crest Trail by mechanized equipment. It seems likely that conversion of the Marble Pass Road would lead to increased violations.

If conversion from a ML-2 to ML-3 road continues to be considered in the future, please complete a thorough analysis of the consequences. The ecosystem, the Elkhorn Crest Trail, and the Watershed itself deserve no less. A thorough analysis would best be accomplished through a separate Environmental Impact Statement (EIS) that could fully address the range of potential impacts from this action.

We appreciate that this aspect was dropped from the Baker City Watershed Fuels Management project. Thank you.

Tethered logging

We do not support the use of tethered logging for this project.

Tethered logging would use ground-based logging equipment on steep slopes. Steeper slopes are more vulnerable to soil compaction, rutting, and soil displacement. Steeper slopes are at a higher risk of water runoff and soil erosion due to ground disturbance from logging equipment.

Cable or skyline logging does result in impacts to the soil, however the results are less detrimental to soils than those of ground-based equipment, according to research and monitoring efforts. Cable/ skyline logging is permitted for logging on steeper slopes by the Wallowa-Whitman National Forest Land and Resource Management Plan. Logging (commercial thinning) in riparian areas with a tethered logging system is particularly problematic.

As is stated in the Soils Report, "whole-tree tethered operations are the newest application of tethered operations, and very little is known about soil disturbance… Application and advancements in tethered harvest systems has outpaced research on various sites and soil types" (p 21).

A Forest Plan Amendment would be required for logging with ground-based logging equipment on slopes steeper than 30%. We believe this project would better meet its Purpose and Need without requiring an amendment to the Wallowa-Whitman National Forest Land and Resource Management Plan.

Fuel Reduction and Values at Risk

Fuel reduction treatments are most effective for protecting values at risk when they are implemented adjacent to those values. For example, according to the National Fire Protection Association, "Experiments, models and post-fire studies have shown homes ignite due to the condition of the home and everything around it, up to 200' from the foundation. This is called the Home Ignition Zone (HIZ)." https://www.nfpa.org/Public-Education/By-topic/Wildfire/Preparing-homes-for-wildfire

Creating Fire-Adapted Communities as Part of the Cohesive Wildfire Strategy
We appreciate that the Forest Service aims to integrate the goals of the "Cohesive Wildfire Strategy" into the Baker City Watershed Fuels Management Project. One of the four primary factors identified in the Cohesive Wildfire Strategy is creating fire-adapted communities. This aspect of the strategy describes an opportunity to engage communities and work with them to become more resistant to wildfire threats and provide education and prevention messages targeted at creating defensible space, fuels reduction, and improved structure access.

We encourage the Forest Service to integrate the Baker City Watershed Fuels Management Project with nearby private forest landowners to provide education and prevention messages targeted at creating defensible space, fuels reduction, and improved access to homes and structures for emergency vehicles.

Cumulative Effects
Please consider the cumulative effects of other nearby forest management activities in the vicinity of the Baker City Watershed Fuels Management Project. This would include the Little Dean project which is just to the south, Union-Miners Prescribed Burning, as well as other logging projects that may have occurred or are being implemented on private lands in the vicinity.

Conclusion
Thank you for the opportunity to participate in this planning process and for your review of these comments. GHCC looks forward to working with the Forest Service as this project progresses. Please don't hesitate to contact us with any questions.

Sincerely,

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