



VIA: <https://www.fs.usda.gov/project/ochoco/?project=58081>

April 30, 2024

Shane Jeffries, Ochoco Forest Supervisor
3160 NE Third St
Prineville, OR 97754

RE: Mill Creek Dry Forest Restoration Project Objection

Pursuant to 36 C.F.R. Part 218.7, the American Forest Resource Council files this objection to the proposed draft decision for the Mill Creek Dry Forest Restoration Project (Mill Creek). Slater Turner, District Ranger is the responsible official. The Mill Creek project occurs on the Lookout Mountain District on the Ochoco National Forest.

Objector

American Forest Resource Council
700 NE Multnomah, Suite 320
Portland, Oregon 97232
(503) 222-9505

AFRC is an Oregon nonprofit corporation that represents the forest products industry throughout Oregon, Washington, Idaho, Montana, Nevada, and California. AFRC represents over 50 forest product businesses and forest landowners. AFRC's mission is to advocate for sustained yield timber harvests on public timberlands throughout the West to enhance forest health and resistance to fire, insects, and disease. We do this by promoting active management to attain productive public forests, protect adjoining private forests, and assure community stability. We work to improve federal and state laws, regulations, policies and decisions regarding access to and management of public forest lands and protection of all forest lands. The Mill Creek project will, if properly implemented, benefit AFRC's members and help ensure a reliable supply of public timber in an area where the commodity is greatly needed.

Objector's Designated Representative

Irene Jerome, AFRC Consultant
408 SE Hillcrest Rd
John Day, OR 97845
541-620-4466

ijerome@amforest.org

The content of this objection below is based upon the prior specific written comments submitted by AFRC in response to the Draft EA which are hereby incorporated by reference.

1. When compared to the Proposed Alternative, Alternative 4 Modified fails to adequately meet the Purpose and Need of the project.

The Purpose & Need as it appears in the Final EA includes the following:

Increase Resilience to Insects, Disease, Fire, and Drought:

“Many stands, which were historically dominated by ponderosa pine, now have increased amounts of grand fir, Douglas-fir, and Western juniper in younger age classes in both the under and over-stories.”

“The existing amount of dense structural stages is more than twice the historic range for this condition (24,531 acres currently as opposed to an HRV of 6,571-14,028 acres).

“Stands of large trees (mainly ponderosa pine) with an open park-like nature which were abundant historically and maintained by frequent low intensity fires in most plant association groups (PAGs) are now relatively scarce and below their historic levels of abundance.”

In AFRC’s opinion, the goal of any Forest Service vegetation management project should be to meet the stated project objectives to the maximum extent across as many acres of the project area as possible. The scope, measured in acres treated for this project, should be the metric that indicates how well the Forest Service is meeting its stated objectives on any given project. In other words, meeting the stated Purpose & Need on 500 acres is inferior to meeting the stated Purpose & Need on 600 acres.

In our Draft EA comments, we expressed concern regarding the scope of the project relative to the project area. The Draft Decision Notice and EA consider the treatment of 7,787 acres, which constitutes only 34% of the entire project area, excluding the wilderness managed by the Forest Service. Our Draft EA comments supported Alternative 3 including removal of grand fir and Douglas-fir up 29.9 inches dbh as appropriate and allowing for ground -based operations on slopes greater than 35 percent with appropriate mitigating measures.

During a meeting with the Forest Service on March 31, 2023 and a field trip with the Ochoco Forest Restoration Collaborative (OFRC) on October 17, 2023, presentations and field verification of the dramatic ongoing mortality taking place in the grand fir took place. This concern over maximizing treatment acres applies not just to our membership’s needs but also to the full attainment of the stated Purpose & Need as referenced above. Any reduction in acres will inhibit the attainment of the project objectives.

AFRC expressed full support for treating Riparian Habitat Conservation Areas (RHCAs) in our draft EA comments. Treating riparian areas by removing encroaching conifers is critical for

establishment of hardwoods and stream health and function. Further, riparian areas can serve as “wicks” for wildfire. A fire starting in the lower elevations of Mill Creek could burn upslope, spreading fire as it traveled into the Mill Creek Wilderness. Any reduction in RHCA treatments increases the chances of undesired effects from wildfire and hampers the ability to attain the Project’s purpose and need to the fullest extent. The Mill Creek EA supports our assertions and clearly outlines how attainment of desired conditions in the RHCAs would be diminished in the absence of the proposed treatments.

- Page 68 of the Final EA describes the risk of taking no action in RHCAs: “Fire intensities associated with the Alternative 1 models would inherently pose a potential threat to the achievement of management objectives associated with highly valued resources such as Riparian Habitat Conservation Areas.”
- Page 180 of the Final EA states that “The treatment of hazardous fuels and other management actions to move vegetative conditions back to within the historic range of variability for the project area’s dry forest type will reduce the risk of high severity wildfire within RHCAs and along stream-riparian corridors.”
- Page 181 of the Final EA states that “Activities would place RHCAs on a trajectory to attaining Riparian Management Objectives (RMO) over the long-term by increasing riparian shade and reducing water temperatures.”

Page 3 of the Draft Decision Notice states that the reduction in RHCA treatment acres was a function of “public comments in opposition to forest restoration efforts...within riparian habitat.” Page 5 of the Draft Decision correctly states that “ignoring the conditions in RHCAs would not meet the purpose and need for action.” It is discouraging to see the Forest Service seemingly ignore the outcomes from its own environmental analysis and instead make decisions based on “opposition” from unknown stakeholders.

Resolution Requested

AFRC requests that the Deciding Official select Alternative 3 as the preferred alternative. In particular, we urge the Deciding Official to incorporate the commercial treatment of RHCAs as described in Alternative 3. The graph in Figure DN-1 indicates that nearly 100% of the proposed commercial treatments in RHCAs was deferred in Modified Alternative 4. These deferrals represent the most significant departure of commercial treatment acres between the Modified Alternative and the other action Alternatives.

2. AFRC objects to the lack of full consideration of tethered-assist logging on steep slopes.

We have consistently advised the Ochoco National Forest that both helicopter and skyline thinning have limited viability on the current proposed projects. Newer, and much safer, tethered and traction assist logging systems are available in the Ochoco working circle and should be analyzed for during the NEPA process.

In response to our requests regarding tethered-assist, the Response to Comments section of the Final EA states that “The Ochoco LRMP restricts ground-based logging to slopes < 35% and the Forest did not propose a Forest Plan Amendment to allow use of newer ground-based systems

(such as tethered assist) on the steeper slopes. A Forest-wide Forest Plan Amendment may be pursued in the future.”

To be clear, this particular standard/guideline in the LRMP refers to “ground skidding,” not ground-based systems. We disagree with categorizing tethered-assist systems as “ground skidding” in the conventional sense of the term. When this standard/guideline was developed in 1990 it was done so with the assumption that ground skidding would be accomplished without the type of weight displacement feasible with modern tethered-assist systems. Therefore, we believe that tethered-assist could be allowed on the Ochoco National Forest without violating these 1990 standards and guidelines

Resolution Requested

Reconsider the use of tethered-assist equipment as it pertains to the 1990 LRMP to increase the amount of commercial treatment acres.

Request for Resolution Meeting

Pursuant to 36 C.F.R. § 218.11, the objectors request to meet with the reviewing officer to discuss the issues raised in this objection and potential resolution. In the event multiple objections are filed on this decision, AFRC respectfully requests that the resolution meeting be held with all objectors present. AFRC believes that having all objectors together at one time, though perhaps making for a longer meeting, in the long run will be a more expeditious process to either resolve appeal issues or move the process along. As you know, 36 C.F.R. § 218.11 gives the Reviewing Officer considerable discretion as to the form of resolution meetings. With that in mind, AFRC requests to participate to the maximum extent practicable, and specifically requests to be able to comment on points made by other objectors in the course of the objection resolution meeting.

Thank you for your efforts on this project and your consideration of this objection. AFRC looks forward to our initial resolution meeting. Please contact our representative, Irene Jerome, at the address and phone number shown above, to arrange a date for the resolution meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Joseph".

Travis Joseph
President