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October 31, 2024

c/o District Ranger
Mt. Adams Ranger District
Gifford Pinchot National Forest
2455 Highway 141
Trout Lake, WA 98605

Re: Little White Salmon Forest Resiliency and Fire Risk Mitigation Project

Dear Ms. Popham:

WildEarth Guardians ("Guardians") submits these comments regarding the U.S. Forest Service's proposed Little White Salmon Forest Resiliency and Fire Risk Mitigation Project (LWS Project) located on the Mt. Adams Ranger District of Gifford Pinchot National Forest. The Forest Service is proposing over 8,000 acres of thinning for "forest resiliency" and over 3,800 acres of thinning and 1,392 acres of fuel management for "fire risk mitigation."

Guardians is a nonprofit conservation organization with offices in Washington, Oregon, and five other states. Guardians has nearly 200,000 members and supporters across the United States and works to protect and restore wildlife, wild places, wild rivers, and the health of the American West. Guardians and its members have specific interests in the health and resilience of public lands and waterways.

COMMENTS

I. The Forest Service Needs to Prepare a Programmatic EIS

The LWS Project is part of a much broader plan that includes "spatially explicit prioritization of areas to implement forest health and fuels treatments" throughout state and federal forestlands in eastern Washington.[1] The Alignment Strategy outlines goals set by the Forest Service and the Washington Department of Natural Resources (DNR) to "implement fuels reduction and forest health treatments at the landscape scale."[2] Specifically, the two agencies have collectively identified "more than 2.5 million acres of co-located landscapes for fuels and forest health

[1] U.S. Forest Serv. and Wash. Dept. of Natural Res., Alignment between state and federal forest health strategies in eastern Washington, 1 (2023) (hereinafter, "Alignment Strategy") (Ex. 1).
[2] *Id.*

treatments."[3] The Alignment Strategy, as it relates to National Forest System lands, has never been subjected to required programmatic review pursuant to the National Environmental Policy Act (NEPA). Before the LWS or any other project implementing the Alignment Strategy proceeds, the Forest Service needs to prepare a programmatic EIS.

A programmatic EIS is appropriate when there is a need "to evaluate the environmental effects of policies, programs, plans, or groups of related actions."[4] Indeed, when are "large-scale plans for regional development, NEPA requires both a programmatic and a site-specific EIS."[5] The Alignment Strategy is certainly a plan with groups of related actions that are intended to be implemented at a regional scale on a prioritized schedule through multiple stages or phases. In other words, the Alignment Strategy is quintessentially programmatic in nature and the Forest Service needs to consider the potential environmental consequences at the broader regional scale before implementing the strategy on-the-ground.

The Alignment Strategy synthesizes and provides the framework for implementing the Forest Service's Wildfire Crisis Strategy[6] (WCS) and DNR's Forest Health Strategic Plan[7] (FHSP) in eastern Washington.[8] Indeed, the agencies refer to "the need to implement fuels reduction and forest health treatments at the landscape scale" as the "fundamental common denominator" between the WCS and FHSP.[9] In order to understand how the WCS and FHSP are two sides of the Alignment Strategy-coin, a brief discussion of each is necessary.

A. Washington State's "Forest Health Strategic Plan"

In 2017, DNR published the FHSP, a 20-year plan "to treat 1.25 million acres" in "targeted geographies delineated by watershed prioritization."[10] Two years later, DNR released the Washington State Wildland Fire Protection 10-Year Strategic Plan, which introduced what the agency refers to as a "dual benefit component" that (1) prioritizes forest health treatments that support the benefits of forest health while (2) providing geographically planned tools for wildfire response.[11] This led DNR to conduct a pilot project in 2020 "to develop a collaborative framework to incorporate the dual benefit requirement into the existing landscape evaluation process."[12] This, in turn, led to the creation and use of Potential Operational Delineations (PODs), which are "now the standard output of DNR's landscape evaluation process."[13]

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[3] *Id*.
[4] 40 C.F.R. § 1501.11(a); *see also* 40 C.F.R. § 1501.11(a)(2) (discussing "regional actions," actions that have "multiple stages or phases, and are part of an overall plan or program," and a "group of projects or related types of projects").
[5] *City of Tenakee Springs v. Block*, 778 F.2d 1402, 1407 (9th Cir. 1985).
[6] USDA-FS, Wildfire Crisis Strategy, FS-1187a (Jan. 2022); *see also* USDA-FS, Wildfire Crisis Implementation Plan, FS-1187b (Jan. 2022).
[7] WA-DNR, 20-Year Forest Health Strategic Plan – Eastern Washington (Ex. 2), https://www.dnr.wa.gov/publications/rp_forest_health_20_year_strategic_plan.pdf.
[8] Alignment Strategy, 1.
[9] *Id*.
[10] *Id*. at 4.
[11] *Id*.
[12] *Id*.
[13] *Id*.

Later in 2020, DNR released an update to Washington State's Forest Action Plan (Action Plan), which "links existing strategic plans in the state, including the FHSP . . . under one overarching strategy document."[14] The FHSP "is the blueprint for forest health in eastern Washington within the Action Plan.[15]

B. U.S. Forest Service's "Wildfire Crisis Strategy"

In 2019, the same year DNR released its Wildland Fire Protection 10-Year Strategic Plan, the Forest Service entered into memorandums of understanding (MOUs) with state land management agencies.[16] The following year, the Forest Service Deputy Chief for State and Private Forestry and the Rocky Mountain Research Station discussed building "a 10-year treatment scenario, complete with a treatment schedule (where and when) to address predicted community exposure."[17] This plan "became the blueprint for the Wildfire Crisis Strategy" and was "widely circulated to key congress members and staff," where it found a "highly receptive audience and an appetite for the 'fireshed' concept . . . created as part of the plan."[18]

In 2021, funding for implementing the WCS was included in the Bipartisan Infrastructure Law (BIL).[19] In January 2022, the Forest Service published the WCS with an associated implementation plan.[20] In August 2022, the Forest Service released a list of initial WCS landscapes where WCS investments should be focused.[21] That same month, Congress passed the Inflation Reduction Act, which authorized additional funding for "wildfire risk reduction and ecological resilience improvement," which led the Forest Service to identify a "new set of additional WCS landscapes."[22]

C. WCS and FHSP Spatial Metrics and Prioritization Areas

Both the WCS and FHSP "call for an increase in the pace and scale of fuels reduction and forest restoration treatments[.]"[23] Each strategy has specific scales and metrics that were used "to set priority areas for treatment."[24] For the WCS, the "basic spatial prioritization unit" is the "fireshed," which are roughly 250,000 acres in size.[25] Within each fireshed, there are multiple 25,000-acre "fireshed project areas."[26] In other words, the "[f]iresheds function as the scale at

[14] *Id*.
[15] *Id*.
[16] *Id*. at 2.
[17] *Id*.
[18] *Id*.
[19] *Id*.
[20] *Id*.
[21] *Id*. at 3.
[22] *Id*.
[23] *Id*. at 5.
[24] *Id*. at 5-8.
[25] *Id*. at 5.
[26] *Id*.

which exposure is assessed, while fireshed project areas function as the implementation and treatment prioritization scale."[27]

For the FHSP, "prioritization occurs at two spatial scales, 12-digit Hydrologic Unit Code (HUC12) used to support the selection of planning areas and a landscape evaluation for each planning area."[28] Each HUC12, on average 20,000 acres, underwent a two-tiered prioritization process.[29] Tier 1 "included metrics that reflect current and future wildfire exposure . . . combined with insect and disease risk, projected increases in climatic moisture deficit and forest departure needs."[30] Tier 2 "quantified the extent of different highly valued resources and assets in each HUC12," including "aquatic system health, WUI, drinking water, timber volume, large trees and wildlife."[31] Each tier was scored to arrive at a cumulative prioritization score (high, moderate, or low).[32]

DNR next aggregated clusters of specific HUC12 watersheds into various planning areas, for which landscape evaluations were conducted.[33] A landscape evaluation "consists of a comprehensive assessment of the treatment needs and a spatial prioritization of treatment location for a dual benefit that is summarized using Potential Operational Delineation (PODs) and Potential Control Lines (PCLs)."[34] The spatial prioritization for the dual benefit "is conducted via two different, albeit connected, spatial prioritizations: the landscape treatment priority layer and the wildfire response benefit priority layer . . . [t]hese two layers are combined using delineated PODs and PCLs for each planning area."[35] PODs within each planning area "are prioritized into first, second and third priority based on the landscape treatment priority values for their forested land base."[36]

While each process for the WCS and FHSP yielded specific outputs for evaluating risks and identifying areas for future site-specific projects, "there are over 2.5 million acres of spatial overlap between WCS and FHSP."[37] According to the Alignment Strategy:

> On the 2.5 million acres of land that are the focus of both federal and state strategies, there are ***ripe opportunities*** *to engage with collaborative partners and* ***achieve treatment goals***. Aligning resources by matching investments where FHSP landscape evaluations are available and extending analysis from [FHSP] planning areas to firesheds (or WCS landscapes) can contribute to ***accelerating project implementation*** under the frameworks of both the WCS and FHSP. Because of the geographic alignment between WCS

[27] *Id*.
[28] *Id*. at 6 (citation omitted).
[29] *Id*.
[30] *Id*.
[31] *Id*.
[32] *Id*. at 7; *see also* DNR, 20-Year Forest Health Strategic Plan Eastern Washington, 44-52 (note that the prioritization in this document was done on HUC5 watersheds).
[33] *Id*. at 6.
[34] *Id*.
[35] *Id*.
[36] *Id*. at 7.
[37] *Id*. at 8.

> landscapes and FHSP planning areas, there is clear agreement on the highest priority locations to implement forest health and wildfire risk reduction work in eastern Washington State.[38]

The agencies further explained how current funding and information sharing are being used to implement the Alignment Strategy:

> The funding available to implement WCS will contribute to accomplishing the FHSP goals, and vice versa. In these landscapes, combining the WCS fireshed project prioritization with the data products from the FHSP landscape evaluations can inform the prioritization and delineation of new planning areas, accelerate implementation of shovel-ready projects, and ultimately build strong alignment and social license for achieving the dual benefits of science-based restoration and wildfire risk reduction.
>
> [. . .]
>
> PODs and PCLs are being delineated concurrently by federal and state fire staff, which is fostering alignment around the use of fuel breaks and will likely inform the use of the new Fuel Break Categorical Exclusion on the Okanogan-Wenatchee National Forest.
>
> [. . .]
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> DNR and Forest Service staff are working together to make the data products and assessments associated with WCS and FHSP easily available and in a usable format for Forest Service managers. DNR scientists have spent considerable time since 2017 meeting with Forest Service staff to workshop the assessment tools and create the enabling conditions to integrate the data products into NEPA planning processes. Overall, these efforts have been well received, and there are now several Forest Service projects informed by assessment results produced by DNR scientists.[39]

It is indisputable that the "several Forest Service projects" that are either making their way through the NEPA process or have already been approved are "groups of related actions."[40] Implementation of the WCS in Washington is a "regional action" that has "multiple stages or phases" with a "group of projects or related types of projects" that are "part of an overall plan or program."[41] The Forest Service must prepare a programmatic EIS to analyze the broad, landscape-scale environmental consequences and to explore reasonable alternatives to achieve the stated objectives.

The Alignment Strategy underscores the consequences of failing to prepare a programmatic analysis and invite public comment. For example, the agencies acknowledged that "[o]ne common criticism of the WCS is that protection of structures is better accomplished via on-site

[38] *Id*. at 12 (emphasis added).
[39] *Id*.
[40] 40 C.F.R. § 1501.11(a).
[41] *Id*. at 1501.11(a)(2).

home hardening."[42] Unfortunately, the agencies summarily dismissed further exploring this as an alternative to extensive forest thinning:

> While it is true that home hardening is the last line of defense against structure loss, treating the source of fire exposure across different ownerships does not detract from home hardening and active suppression. In fact, the WCS is an addition to the existing fuels program that addresses the myriad of values on public lands. Furthermore, home hardening does not contribute to addressing the forest health decline across the western United States that is the root cause for catastrophic fires and home loss over the last two decades, nor is it within the purview of the Forest Service.[43]

We disagree. First, this downplays the role that outdated building codes have had in contributing to the current situation. In fact, the agencies acknowledge in the same document that one of the primary conditions that has "create[d] the wildfire problem the western US has today" is the "wildland urban interface expansion due to development in fire-prone landscapes."[44] Between 1990-2017, "more than 60 percent of new homes in California, Oregon and Washington were built in the [WUI]" and "Washington has more homes in the WUI than any other state[.]"[45] Addressing this issue needs to be at the forefront of any comprehensive and meaningful strategy regarding wildfire.

Second, utilizing agency resources to overwhelmingly focus on forest thinning in the backcountry most certainly impacts those agencies from supporting home hardening. The Forest Service has limited resources and if funding and staff time are being spent on just one aspect of the problem, that by definition detracts from other areas that funding and staff time could be spent on.

Third, even assuming that home hardening is not "within the purview of the Forest Service," that does not excuse the agency from considering an alternative that focuses more on home hardening. Indeed, under the Council on Environmental Quality's NEPA regulations federal agencies are authorized to "include reasonable alternatives not within the jurisdiction of the lead agency."[46] Those regulations also specifically require that cooperating agencies are invited into and part of the NEPA process.[47] With the level of cooperation and information sharing that has already occurred between the Forest Service and DNR (with little to no public input), there is no rational reason why the two agencies cannot work together on a programmatic EIS to analyze the

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[42] Alignment Strategy at 11.
[43] *Id*.
[44] Alignment Strategy, 5.
[45] Ashley Ahearn, We're Putting More Homes On Wild Lands And In The Path Of Wildfires, OPB, Aug. 15, 2018, https://www.opb.org/news/article/homes-wildfire-wildland-urban-interface-washington-oregon-california/.
[46] 40 C.F.R. § 1502.14(a); *see also Nat'l Wildlife Fed. v. Nat'l Marine Fisheries Serv.*, 184 F.Supp.3d 861, 934 (D. Or. 2016) ("NEPA requires analysis of alternative actions that may not be funded and are outside the jurisdiction of the lead agency"); *Sierra Club v. Lynn*, 502 F.2d 43, 62 (5th Cir. 1974) (agency "must consider appropriate alternatives which may be outside its jurisdiction or control, and not limit its attention to just those it can provide"); *WildEarth Guardians v. Nat'l Park Serv.*, 703 F.3d 1178, 1184 (10th Cir. 2013) (accord).
[47] 40 C.F.R. § 1502.4(c)-(d).

implementation of intensive forest thinning and fuel break projects across 2.5 million acres of forestland in Washington State.

Moreover, the notion that actions taken on non-Forest Service lands (e.g., home hardening) are beyond the Forest Service's purview is specious, at best. Although the Forest Service has no jurisdiction over state and private lands, the agency nevertheless has a dedicated "State, Private, and Tribal Forestry organization" that "reaches across the boundaries of national forests to states, tribes, communities and non-industrial private landowners" to provide "technical and financial assistance to landowners and resource managers" to help, among other things, "protect communities from wildland fire[.]"[48] Home hardening certainly fits within that purview.

The Forest Service needs to prepare a programmatic EIS on the Alignment Strategy as it pertains to National Forest System lands in eastern Washington. That EIS should consider the potential environmental consequences of this strategy at a landscape scale before any site-specific projects like the LWS Project moves forward. A programmatic EIS at the landscape scale would allow the Forest Service to consider alternative viewpoints and methods to achieve the agency's stated objectives (e.g., focusing more on home hardening). Such a process would benefit not only the agency, but the public and policmakers.

II. NFMA Amendment

The preparation of a programmatic EIS should be done in the context of an amendment to the forest plans in Washington where the Alignment Strategy applies. Forest plan amendments "should be used to keep plans current and help units adapt to new information or changing conditions."[49] Amendments are required "to add, modify, or remove one or more plan components, or to change how or where one or more plan components apply to all or part of the plan area (including management areas or geographic areas)."[50]

Here, the Alignment Strategy constitutes a significant change to all of the national forests to which it is being applied. The PODs and PCLs that "are being delineated concurrently by federal and state fire staff"[51] are essentially new land use allocations but have never been disclosed and considered at a programmatic level. Instead, they are being rushed through project-level analyses in order to facilitate "accelerated planning and implementation of fuels reduction and forest health treatments"[52] without any comprehensive, public environmental analysis.[53]

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[48] USDA-FS, State, Private, and Tribal Forestry, https://www.fs.usda.gov/about-agency/state-private-tribal-forestry.
[49] 36 C.F.R. § 219.13(a).
[50] *Id*.
[51] Alignment Strategy, 12.
[52] *Id*. at 13.
[53] In addition to the LWS Project, the Gifford Pinchot National Forest is concurrently planning the Forest Wide Thinning & Potential Control Line Treatments Project (FWT/PCL Project). *See* FWT/PCL Project Proposed Action Scoping Brochure (July 1, 2024). That project proposes to implement approximately 200,000 acres of thinning and 59,000 acres of PCL thinning adjacent to major road systems. *Id*. at 5. The scoping for that project discusses how PODs and PCLs were used to develop that project. *Id*. at 3. This indicates the programmatic nature of PODs and PCLs (which are integral to the Alignment Strategy).

Indeed, the Draft EA for the LWS Project states:

> Fire managers on Gifford Pinchot National Forest, in cooperation with staff from agencies managing adjacent lands, identified landscape potential operational delineations (PODs) as part of pre-planning efforts for wildfire response. PODs are spatial units or "containers" typically surrounded by potential control locations (PCLs). Within these PODs, fire managers have developed a known understanding of risks, management opportunities, and desired outcomes of a fire to determine appropriate fire management objectives and response should a wildfire occur.

In other words, the Forest Service has just determined that PODs and PCLs are going to be used to identify areas to implement projects like the LWS Project without any public scrutiny of the methodologies underlying these new land-use allocations before being deployed at the project level.[54] It is critically important that the PODs and PCLs that are being used to plan and implement projects like the LWS Project are first subjected to public review through an amendment process.

For example, the Draft EA specifically references the FHSP's identification of the Little White Salmon watershed "as a priority landscape" in support of its "need for the proposal."[55] As explained above, the FHSP used two tiers, one for "forest health" (Tier 1) and the other for "values at risk" (Tier 2) and combined to arrive at an overall priority for future management considerations.

[54] While the Forest Service issued a "Request for Information" about the "framework, focus, and direction of its Wildfire Crisis Implementation Plan," 87 FR 34234 (June 6, 2022), that request was not part of a NEPA process.
[55] Draft EA, 1.

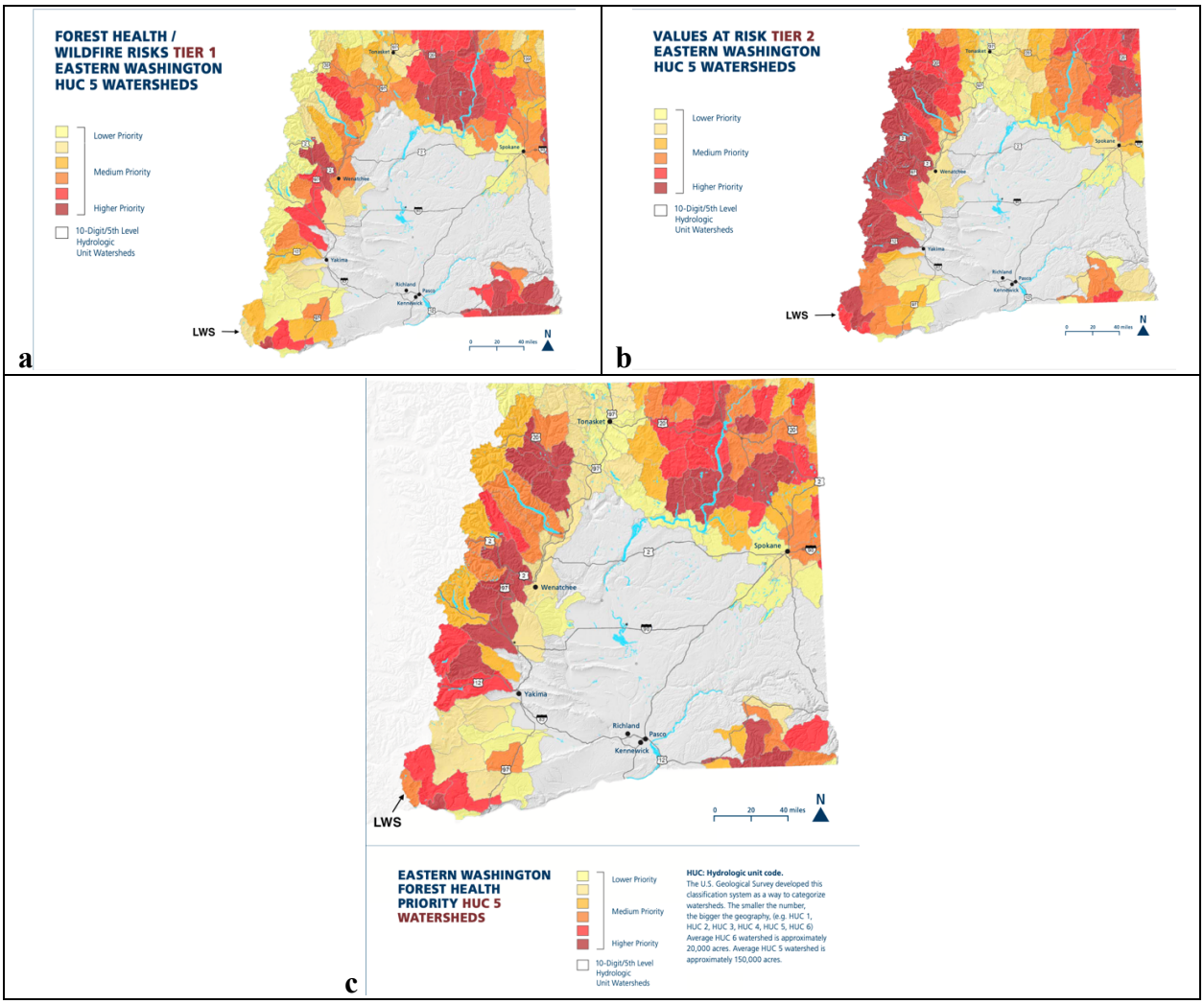

Figure 1: DNR methodology for prioritizing HUC 5 watersheds. Tier 1 metrics (a) represent forest health conditions and probability of major fire or insect and disease disturbances that could affect forest health. Tier 2 metrics (b) represent natural and human values at risk from major, uncharacteristic disturbances or declines in forest health. All metrics were summarized at the HUC 5 level in order to combine them into Tier 1 and Tier 2 scores. These scores were then standardized and combined to arrive at an overall priority (c).[56]

As Figure 1 shows, the Little White Salmon watershed ranks on the lower end of priority scale for "forest health" metrics (Tier 1). However, it ranks higher for "values at risk" (Tier 2), which places the watershed on the higher edge of the "medium priority" ranking overall. We have concerns about whether Tier 2 metrics could potentially inflate the overall priority ranking when the Tier 1 ranking is actually low. The use of DNR's methodology should be subjected to public review and scrutiny as part of a programmatic amendment before it is used as a basis for site-specific logging projects on National Forest System lands across eastern Washington. That does not appear to have happened to date.

The need for a programmatic amendment is obvious since the Forest Service is seeking a site-specific plan amendment because of how the PODs and PCLs will affect existing visual quality

[56] *See* FHSP, pp. 44-52.

objectives (VQOs) within the project area.[57] This is likely to be repeated in the Gifford Pinchot and other national forests each time a project containing treatments associated with PODs and PCLs. The Forest Service needs to look at all of these issues broadly instead of piecemeal. That way, the Forest Service can benefit from alternative viewpoints and consider whether there are other means to achieve the agency's stated objectives (e.g., focusing more on home hardening).

III. The Forest Service's old-growth review likely missed forests with old-growth conditions.

The Forest Service's old-growth review is contained in Appendix F of the Draft EA. According to Appendix F, the Forest Service "started with OGSI 200 as the regional and national definition/inventory of old-growth," which is only "appropriate for assessing characteristics across large landscapes."[58] However, because of "known discrepancies between the OGSI 200 layer and actual on-the-ground conditions," the Forest Service "did not feel comfortable using OGSI 200 alone at the scale needed to delineate stands."[59] Thus, the Forest Service "added multiple lines of evidence" based on the "[d]ensity of large live trees," which included modeling developed by the Washington Department of Natural Resources (DNR)[60] Based on these analyses using multiple lines of evidence on all project stands, "[a]reas mapped as old growth . . . are excluded from any commercial treatment proposal."[61]

We commend the Forest Service for not restricting its old-growth review to only those stands that are identified first through an initial screen using OGSI 200. Because of the "known discrepancies" between OGSI 200 and "actual on-the-ground conditions," using OGSI 200 in such a way would almost certainly omit forests with old-growth conditions present at the stand level. The use of additional lines of evidence likely identified areas of forest in the project area with old-growth conditions and the Forest Service either removed those stands from the project area entirely or is proposing only non-commercial treatments. However, we are not sure that the Forest Service has identified all of the forests in the project area where old-growth conditions are present.

A. DNR forest inventory data indicates there are additional stands in the LWS Project area that likely contain forests with old-growth conditions.

In a presentation for the LWS Project, the Forest Service stated that after initially planning 16,400 acres of "treatment area" in early 2023, that was reduced to 11,500 "treatment acres" in April 2024 (Figure 2).

[57] *See* Draft EA, 35-36.
[58] Draft EA, App. F-4.
[59] *Id*.
[60] *Id*.
[61] *Id*. at 5.

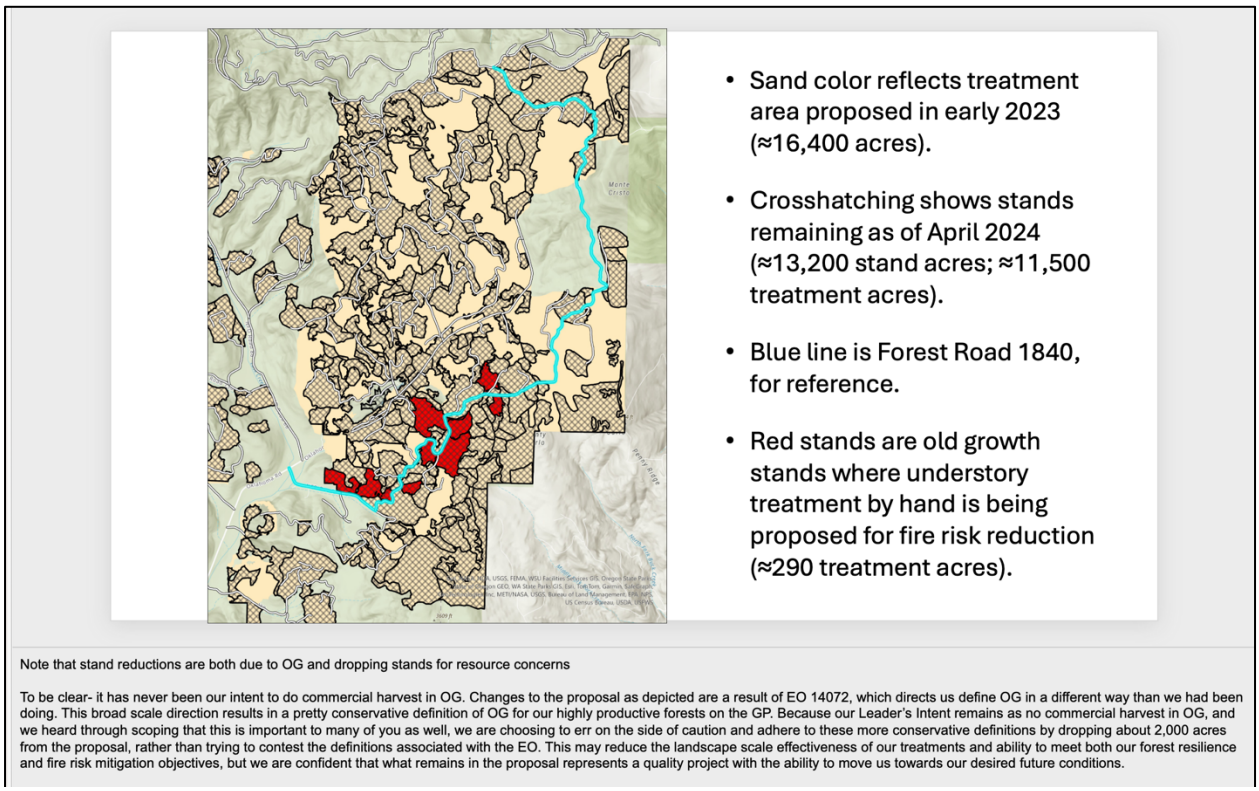

Figure 2: Slide from a Forest Service presentation on the LWS Project.

The sand color areas in Figure 2 represent areas that were removed from the project "due to OG and . . . resource concerns." According to the Forest Service, the only other old-growth stands remaining in the project are the red stands where "understory treatment by hand is being proposed for fire risk reduction." In other words, there should not be any old-growth in the hatched areas in Figure 2.

However, DNR's forest inventory data indicates that many other stands contain forests that likely have old-growth conditions present that should be excluded from the project. For example, much of Stand 303972A contains forests that are between 122-321 years old according to DNR's forest inventory data (Figure 3).

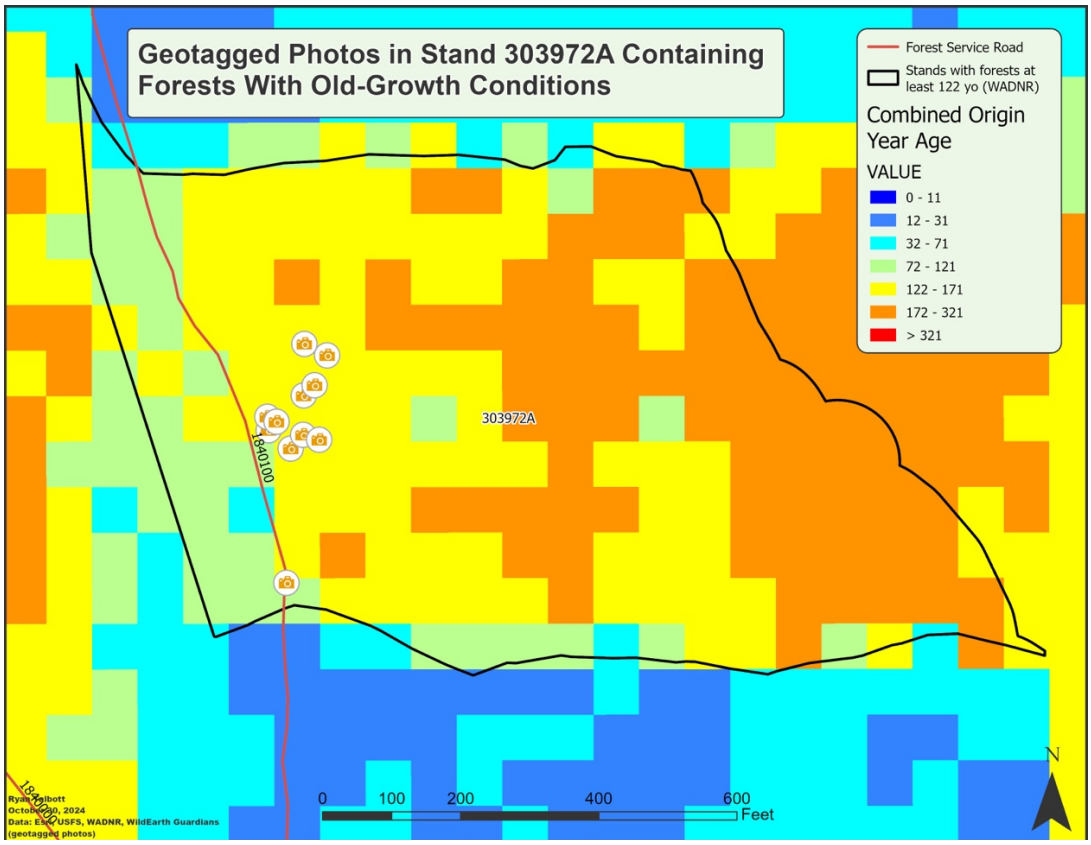

Figure 3: DNR forest inventory data shows much of Stand 303972A contains forests between 122-321 years old. Geotagged photos correspond to the ones in Exhibit 3.

A site visit to the project area on October 12, 2024 confirmed that this stand contains numerous large, old trees and should be considered old-growth.[62] We took photos and measured trees according to the old-growth definition used by the Forest Service for this project and easily found the minimum number of trees meeting the thresholds. The photos in Exhibit 3 are geotagged in Figure 3.

Other stands in the project area have similar characteristics according to DNR's forest inventory (see Figures 4 and 5 below).

[62] *See* Ex. 3.

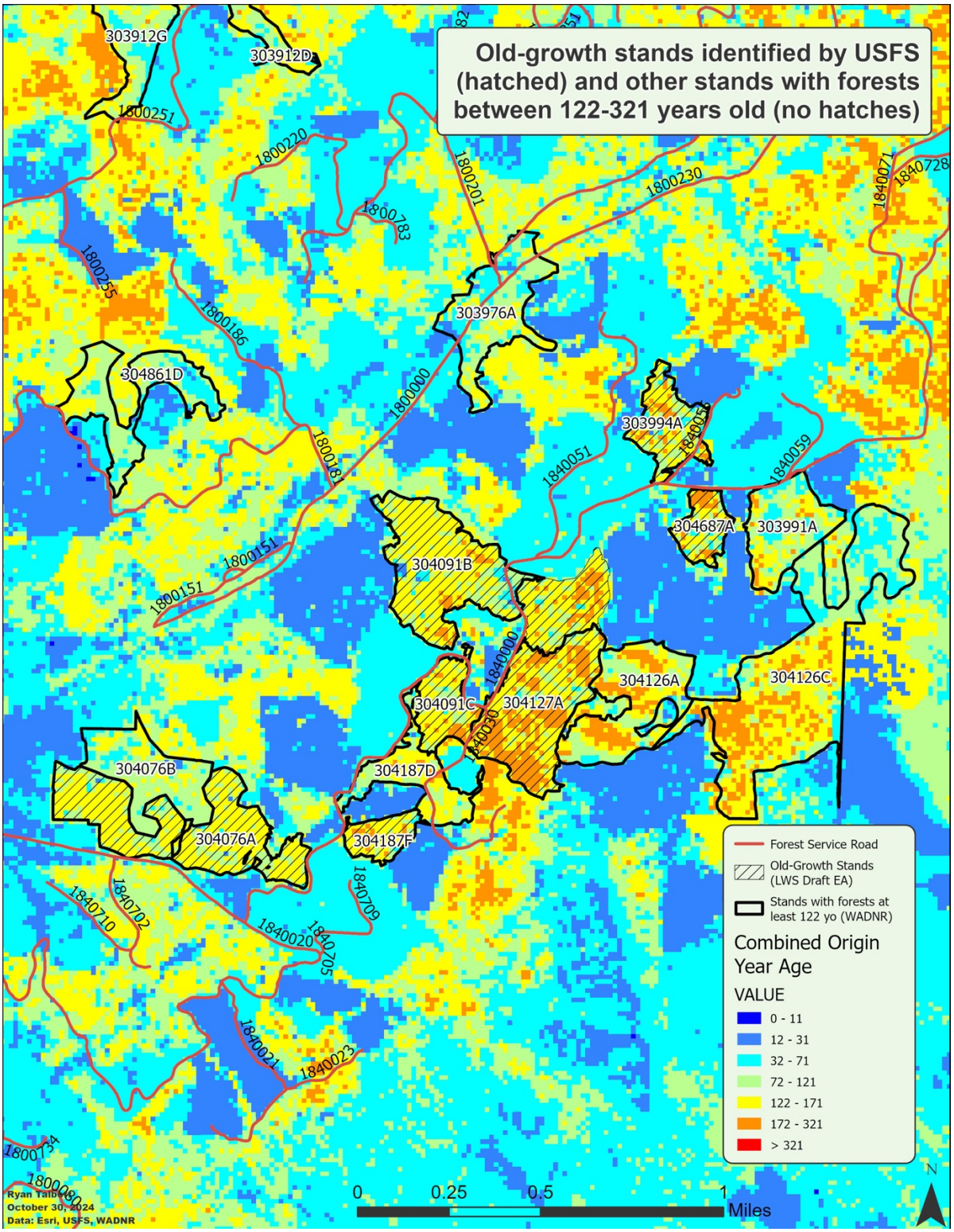

Figure 4: Stands with hatching correspond to the red stands identified by the Forest Service in Figure 2 as containing old-growth but where only non-commercial understory thinning is proposed. The Forest Service did not identify the other stands in Figure 4 (without hatching) as having old-growth even though DNR's forest inventory data shows these stands have areas with forests that are 122 years old or older. Some stands have extensive areas with forests that are between 172-321 years old.

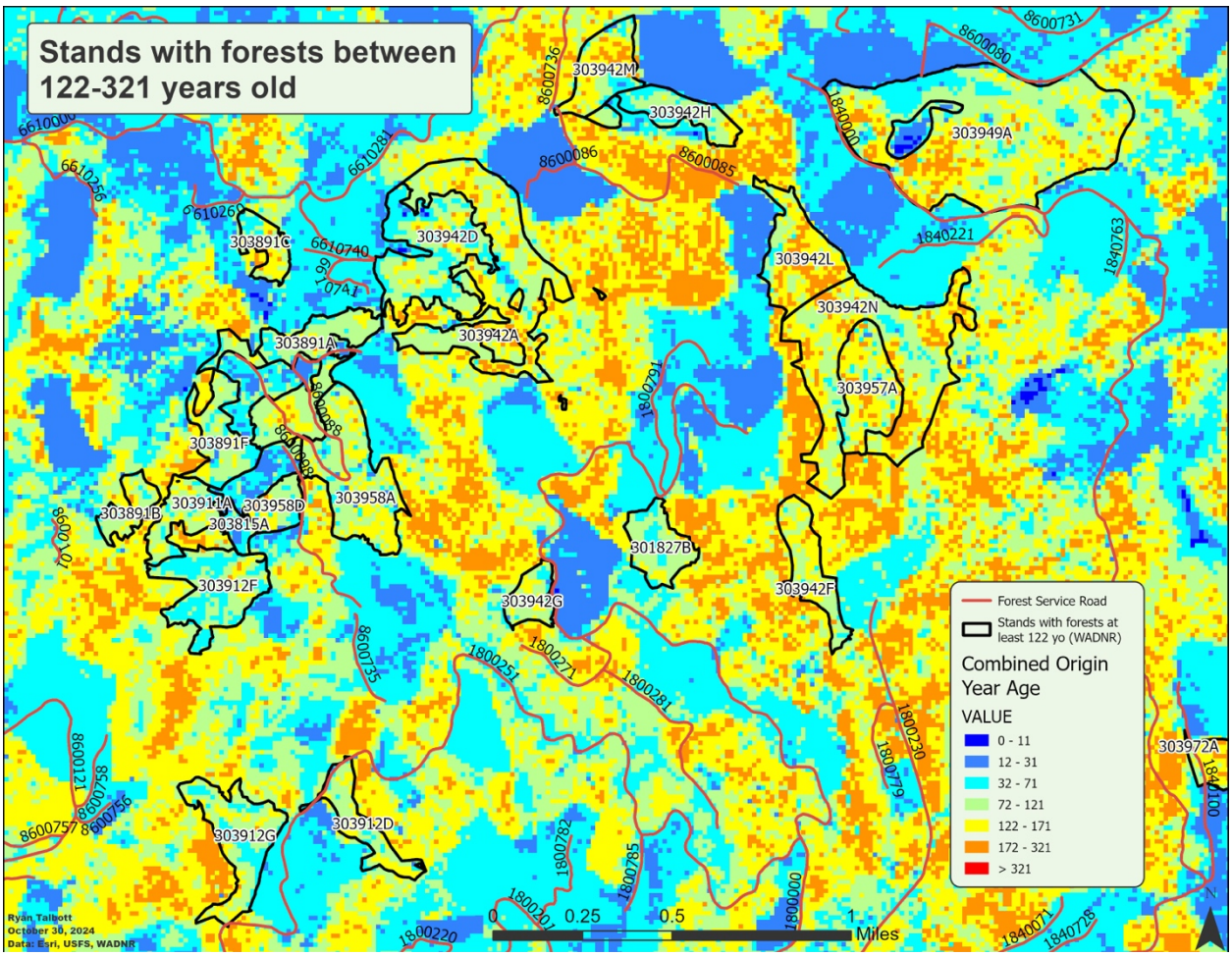

Figure 5: The Forest Service did not identify any of these stands as old-growth despite having many areas with forests between 122-321 years old.

In total, in addition to the stands the Forest Service identified as old-growth in Figure 2, there are 65 other stands[63] in the project area (2,951 acres) where DNR's forest inventory indicates there are at least some forested areas in the range of 122-171 years old (and in many cases between 172-321 years old). The Forest Service needs to revisit its old-growth review in light of the above information.

B. <u>The Forest Service erred in relying solely on the grand fir zone to identify forests with old-growth conditions.</u>

In addition, we are concerned the Forest Service did not use the correct plant-association series for the entire project area in determining the presence of old-growth conditions. The Forest

[63] *See* Ex. 4. Note: this spreadsheet was created by overlaying the LWS Project stands shapefile with DNR's forest inventory raster in ArcGIS Pro and selecting stands with pixels representing forests in the 122-171 years-old range. Next, the "Table to Excel" tool was used to create the spreadsheet and edited to reflect the stands identified by the Forest Service as having old-growth and then subtracted from the total acreage to arrive at 65 additional stands containing at least some potential old-growth.

Service states that it only used the standards for "the grand fir zone per FS-1215a."[64] We do not believe it was appropriate to use just the grand fir series for this project area. For example, although "climax Douglas-fir sites are infrequent on the Forest . . . [s]teep, predominantly south-facing slopes and ridges ***in the Little White Salmon River drainage are home to the Douglas-fir/Vine maple/Western fescue association***."[65] "This association is found on hot and dry sites, primarily in the Little White Salmon River drainage."[66] Thus, the Forest Service should have also used the standards for the Douglas-fir zone per FS-1215a.

This distinction is important. While the minimum threshold for old-growth in the grand fir zone is *six* trees per acre (TPA) greater than 29.5" diameter breast height (DBH), the minimum threshold for old-growth in the Douglas-fir zone is *three* TPA greater than 29.5" DBH.[67] In other words, by only using the grand fir standards, the Forest Service used a minimum threshold that requires finding twice the number of trees that are 29.5" DBH. This may have excluded stands that otherwise could be considered to have old-growth conditions present if the Douglas-fir standards were used. The Forest Service should reconsider whether additional parts of the project area have old-growth conditions present.

The Forest Service should also disclose how much old-growth it found in its review. In 2000, the Washington Department of Fish and Wildlife (DFW) said there were "15,180 acres of late successional (***stands greater than 880 years old*** and 21 inches DBH)" and "14,160 acres of stands meeting the Region Six definition of old growth" in the Little White Salmon River subbasin.[68] These are remarkable figures and underscores the need to properly identify all old-growth in the project area and remove it from the project. How much of this acreage currently exists? How much of this acreage is proposed for commercial logging in the LWS Project?

Again, we commend the Forest Service for not relying solely on OGSI 200 to delineate old-growth stands. However, it is likely that the Forest Service did not delineate all of the old-growth in the LWS Project area, as evidenced by the DNR's forest inventory data. Moreover, the Forest Service erred in relying solely on the grand fir old-growth definition when significant parts of the Little White Salmon drainage are "home to the Douglas-fir/Vine maple/Western fescue association." The Forest Service should revisit its old-growth review and remove additional old-growth stands from the project.

IV. The Draft EA fails to consider impacts to soil carbon and the cumulative impacts related to climate change.

In the section on direct and indirect effects of the LWS Project on climate change, the Forest Service estimated carbon stocks and changes at the project level-based extrapolations from forest

[64] Draft EA, App. F-4.
[65] Gifford Pinchot National Forest, Plant Association and Management Guide for the Grand Fir Zone, p. 6 (1989) (emphasis added).
[66] *Id*. at 45.
[67] U.S. Forest Serv., Mature and Old-Growth Forests: Definition, Identification, and Initial Inventory on Lands Managed by the Forest Service and Bureau of Land Management, 41 (Apr. 2023).
[68] DFW, Draft Little White Salmon River Subbasin Summary, 2 (Nov. 15, 2000) (emphasis added) (Ex. 5).

level estimates.[69] However, the Forest Service only looked at the effects of the proposed action "on the aboveground stocks, which comprise a fraction of the total ecosystem carbon stocks in the proposed project area."[70] There was no analysis of the effects on soil carbon stocks even though that represents 32.7 percent of the total carbon stocks on the Gifford Pinchot National Forest.[71] While the Forest Service asserts that soil carbon stocks are a "very stable and long-lived carbon pool," that appears to discount the effects that logging projects like the LWS Project have on soils.

That analysis is important because the Forest Service claims that "[n]egative impacts on carbon stocks caused by disturbances and environmental conditions have been modest and exceeded by forest growth."[72] But that statement is based on ignoring one-third of the total carbon, which is stored in the soil. The Forest Service should analyze and disclose the potential effects of the LWS Project on soil carbon stocks.

The Forest Service also failed to analyze the cumulative effects of the LWS Project and other similar projects on climate change. Each section of the Draft EA, except for the climate change section, addresses cumulative effects in some fashion.[73] The Forest Service needs to analyze the cumulative effects of the LWS Project in conjunction with other past, present, and reasonably foreseeable actions on climate change.[74]

V. Temporary Roads, Skid Trails, and Landings

The Forest Service proposes to construct 52 miles of temporary road in the LWS Project.[75] This is in addition to 25 miles of temporary roads proposed in "existing footprints" and another 10 miles of temporary roads proposed on roads that are currently decommissioned.[76] The Forest Service claims that "[a]ll temporary roads would be closed and rehabilitated following logging activities."[77]

First, the fact that the Forest Service is proposing 25 miles of temporary roads in "existing footprints" contradicts the claim that "all temporary roads would be closed and rehabilitated following logging activities." If that were the case, there would be existing "temporary" roads. The Forest Service needs to disclose why these 25 miles of "temporary" currently exist, when they were constructed, and when they were supposed to have been closed and rehabilitated. The Forest Service needs to explain in detail how it plans to close and rehabilitate temporary roads and whether it has or will have the funding to do so.

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[69] Draft EA, 40.
[70] *Id*.
[71] *Id*.
[72] *Id*.
[73] *Id*. at 45 (Vegetation and Silviculture), 54 (Fire and Fuels), 55 (Soils), 57 (Hydrology), 60 (Fisheries), 69 (Wildlife), 72 (Botanical), 74 (Scenery), 76 (Recreation), 77 (Cultural).
[74] 40 C.F.R. § 1508.1(i)(3).
[75] Draft EA, 30.
[76] *Id*.
[77] *Id*.

In addition, the Forest Service does not address how many acres of trees will be cut in order to construct temporary roads, skid trails, and landings. The Forest Service needs to disclose these figures to the public and explain whether or not that acreage contributes toward the Gifford Pinchot National Forest's timber targets. No road construction (temporary or otherwise), skid trails, or landings should be constructed in old-growth forests.

VI. Invasive Weed Control and Herbicides

The Forest Service states that "[e]ffects of weed treatment are covered under the Forest's Invasive Plant EIS (USDA FS 2008)."[78] The 2008 document the Forest Service cites is the "Site-Specific Plant Treatment Project" for the Gifford Pinchot National Forest and Columbia River Gorge National Scenic Area.[79] We do not think it is appropriate to tier to a 26-year-old site-specific EIS that that applied to just 2,687 acres.[80]

In order to tier to a previous environmental document, the Forest Service "shall discuss the relationship between the tiered document and the previous review, and summarize and incorporate by reference the issues discussed in the broader document."[81] There is no discussion about the 2008 Plant Treatment FEIS and how, 26 years later, it informs the environmental analysis for the LWS Project. The Forest Service needs to disclose this information and determine whether it needs to update its analysis on invasive weed control. We also urge the Forest Service to reconsider the need for any road construction (temporary or otherwise) as that creates pathways for the spread of invasive weeds (and then the use of additional herbicides).

VII. The Forest Service failed to adequately consider the cumulative impacts on Northern Spotted Owl.

The Forest Service acknowledges that "[t]hinning can negatively affect flying squirrels, which in the Western Washington Cascades, comprise nearly 50 percent of the biomass in northern spotted owl diets."[82] Thus, the Forest Service states that "it is expected that flying squirrel abundance will decline within the treated portions of thinned stands."[83] For stands that are thinned to 45-55%, the Forest Service predicts that flying squirrels will persist but at "reduced densities."[84] For stands that are thinned to 40%, the Forest Service expects that it could take up to 20 years "to recover sufficient canopy cover to support flying squirrels."[85]

In the cumulative effects section, the Forest Service claims that:

> Private forest lands in the action area must comply with the Washington Forest Practices Act (RCS 76.09), as well as the Washington Administrative Code with respect to the

[78] *Id*. at 30.
[79] *Id*. at 84.
[80] *See* 70 Fed. Reg. 49905 (Aug. 25, 2005).
[81] 40 C.F.R. § 1501.11(b)(1).
[82] Draft EA, 67.
[83] *Id*.
[84] *Id*.
[85] *Id*.

> Washington Forest Practices Rules. (Washington Forest Practices Board 1996, Ch.222-30). Similarly, state lands within the action area managed by Washington Department of Natural Resources operate under an approved Habitat Conservation Plan that covers northern spotted owls. Because these activities have been previously evaluated under Section 7 of the Endangered Species Act, cumulative effects are not anticipated."[86]

The Forest Service cannot rely on the fact that private and state logging practices were "previously evaluated" under the ESA to support its current claim that "cumulative effects are not anticipated" on northern spotted owls. First, does the Habitat Conservation Plan apply to private forestlands? If not, this paragraph should be revised to make that distinction clear.

Second, this is what is permitted to occur on private forest lands in Washington:

This photo was taken from Oklahoma Road on the way to the LWS Project area. Just because private forest practices are regulated by state law does not mean those state laws are protective of threatened and endangered species. And if flying squirrels do not return to an area thinned to 40% canopy for 20 years, they likely are not returning to forests cut down like the one above for even longer. The Forest Service needs to conduct a more detailed cumulative effects analysis to consider past, present, and reasonably foreseeable logging on private and state forest lands and how that, combined with the LWS Project, will affect northern spotted owls.

[86] *Id*. at 69.

Conclusion

Before proceeding to a Final EA, we believe the Forest Service should:

- Prepare a programmatic EIS on the Alignment Strategy as it applies to National Forest System lands in eastern Washington.
- Propose an amendment to the forest plans to which the Alignment Strategy applies before any further site-specific implementation of that strategy occurs.
- Revise the old-growth review to account for:
    - Additional stands that likely have old-growth forest conditions according to DNR's forest inventory data, and
    - Use of the Douglas-fir old-growth definitions.
- Consider the impacts of the project on soil carbon, and
- Consider the cumulative effects of the project in conjunction with other past, present, and reasonably foreseeable projects on climate change.
- Disclose why 25 miles of temporary road exists and how all temporary roads will be rehabilitated following project implementation.
- Disclose the relationship between the 2008 Site-Specific Plant Treatment Project FEIS and the current analysis for the LWS Project.
- Conduct a more detailed cumulative effects analysis of the impacts of logging activities on private and state forest lands on the northern spotted owl.

Thank you for the opportunity to comment.

Sincerely,

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