December 20, 2024

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Submitted online via: https://www.fs.usda.gov/project/?project=63158

RE: Middle Fork Fire Affected Roads Project Draft Environmental Assessment

Please accept the following comments from Cascadia Wildlands, Oregon Wild, and Willamette Riverkeeper concerning the Middle Fork Fire Affected Roads Project Draft Environmental Assessment.[1]

Project Description

This project is an updated version of the previous Cedar-Gales Roadside Risk Reduction Project to include the scope of the Bedrock Fire, which burned about 30,600 acres of the Willamette National Forest in summer 2023 and reburned about 800 acres of the Gales Fire area. All three fires occurred near Highway 58, close to Oakridge, OR. The district proposes to fall fire-killed and injured trees that may strike Willamette National Forest System roads affected by the Gales, Cedar Creek, and Bedrock Fires.

The objective of the project is to "reduce the risks posed by fire-killed and injured trees that have fallen across or remain standing along important access routes of the Cedar Creek, Gales, and Bedrock fire-affected road system so that access to and through the burned area can be restored." Draft EA at 9. The Middle Fork District remains concerned

[1] Founded in 1998, Eugene-based Cascadia Wildlands represents approximately 15,000 members and supporters with a mission to defend and restore Cascadia's wild ecosystems in the forests, in the courts, and in the streets. Cascadia Wildlands envisions vast old-growth forests, rivers full of wild salmon, wolves howling in the backcountry, a stable climate, and vibrant communities sustained by the unique landscapes of the Cascadia bioregion.

Oregon Wild represents 20,000 members and supporters who share our mission to protect and restore Oregon's wildlands, wildlife, and water as an enduring legacy.

Willamette Riverkeeper has approximately 2,500 members who live, work, visit, recreate, and enjoy the Willamette River Basin, including in the waters of the Gales, Cedar Creek, and Bedrock Fires. They believe a river with excellent water quality, abundant natural habitat, safe for fishing and recreation is a basic public right.

about risks to public and forest worker safety when using roads, firefighter access to new ignitions, usability of potential evacuation routes, hazardous fuel loads, the functionality of roads as potential fire control lines, and road infrastructure damages and failures. Draft EA at 9–10. The district proposes to fall fire-killed and injured trees on about 139 miles of road, or 3,070 acres of adjacent land, reducing fuel loads within 100 feet of the road. Draft EA at 12. The treatment area amounts to 1.7% of the fire-affected landscape. Hazard trees are generally those within striking distance of a road that show signs of failure within three years and will be identified using guides from Filip and Hood.

In our scoping comments, we asked about the agency's proposed emergency treatments:

> The Burned Area Emergency Response (BAER) Report completed for the Bedrock Fire in September 2023 listed numerous urgent concerns, including safety around campgrounds, damage to culverts and other road or drainage issues, and rockfall and landslides. The report stated that "[e]mergency treatments will be implemented within one year of containment of the fire to minimize risk to critical BAER values." BAER Report at 12. BAER is also listed as a justification for treatment on the table of proposed roads for the project. In addition, the district submitted a request to utilize the emergency response authority for a portion of the roads impacted by the Bedrock, Cedar, and Gales Fires pursuant to 36 CFR 220.4(b) (2), also in September 2023. If approved, the district will "immediately begin implementing emergency hazard tree abatement to address the imminent hazards adjacent to specified roads and developed recreation sites prior to completion of the Environmental Assessment." Notification Email, September 28, 2023.

The district notified the public that the Forest Service granted emergency authorization:

> The Forest Service has granted the Willamette National Forest the use of an emergency authority to conduct urgent and targeted emergency response actions to address the hazards posed by fire-damaged trees in the Middle Fork Ranger District along 125 miles of forest roads affected by the Cedar, Gales, and Bedrock fires from 2021 to 2023. Work could begin as early as June 2024 and continue into 2025.

Notification Email, May 14, 2024. The district, however, has neither provided more details about the emergency request nor indicated which projects were included in the emergency authorization in this draft EA.

In addition, the district later proposed Categorical Exclusion projects related to Cedar Creek and Bedrock Fire impacts (Blair Lake Campground Fire Recovery, Clark Creek Organization Campground Hazard Tree Removal, Cedar Creek Fire Trail Bridge Replacements).[2] The district has also issued decisions for reforesting areas burned by the

[2] Willamette National Forest Middle Fork Ranger District, 2024 CE Projects, June 17, 2024, https://content.govdelivery.com/attachments/USDAFS/2024/06/17/file_attachments/2909852/2024%20CE%20Scoping%20Project%20Summary.pdf.

Cedar Creek and Gales Fires, beginning spring 2024 and extending through 2030.[3] These are briefly mentioned in the cumulative effects section.

We appreciate that the district has provided periodic updates on the variety of mechanisms it is using to address several seasons of fire impacts. These have largely been unconnected updates, however, and the emergency authorization process has been as transparent as we'd hoped. We suggest providing a fuller overview of post-fire project planning and implementation taking place across the district. In particular, please provide as much information around the emergency authorization request as possible, especially if this district or others in the Willamette National Forest anticipate utilizing the emergency request process in response to future fires.

Public Access Concerns

We note that areas proposed for treatment by this project are largely inaccessible due to ongoing road closures. Certain roads can only be reached if one travels through stretches of active logging operations on private industrial timber lands, bookended by gates that are closed or could be closed at any time. This hindered our ability to field check current conditions of the proposed treatment areas. We appreciate the example photos provided in the draft EA but note that these are the same photos provided in the scoping notice months prior. We requested additional photos be provided to show conditions on the ground, which have surely changed throughout the project's development, to aid public understanding and ability to provide feedback.

The district has deployed signage and road barriers where roads in the fire footprint remain closed to public entry, though we are aware that individuals are not heeding the closure signs or barriers, creating safety risks for themselves and others. While most road signage communicates closures, some areas also include burn area warning signs communicating risks to expect in post-fire landscapes. We continue to encourage the agency to continue using signage describing the inherent risks of entering a post-fire landscape, such as the sign pictured on the next page, throughout and after the implementation of roadside hazard tree work. Signage and education can be used to support the risk-tolerant approach to post-fire hazard tree removal described above and in our original scoping comments. Investing in education and awareness of post-fire forest risk *and natural recovery processes* is crucial to protecting public safety while maintaining ecological values, reducing the number of unnecessary roads, lowering related wildfire ignition risks, and bringing road maintenance costs and requirements into a manageable load for the agency.

[3] Decision Memo 2022 Cedar Creek Fire Reforestation, https://content.govdelivery.com/attachments/USDAFS/2023/11/02/file_attachments/2670611/CedarCreekReforestation_DM_signed.pdf.

Concerns About Post-Fire Hazard Tree Logging

The district analyzed one action alternative in the draft EA. The district considered other alternatives but opted not to analyze them in detail. One alternative not considered in detail would have significantly expanded the project, including treatment along every fire-affected road adding approximately 673 miles of road and over 16,300 acres to the project. We strongly oppose this alarming proposal, as expanding the project would damage ecological values in a sensitive, recovering forest landscape and is not remotely realistic for the resource-strapped agency.

We offer the following comments and concerns about the proposed action for the agency's consideration.

1. Risk Tolerance

We have consistently urged the Forest Service to take a limited approach to post-fire hazard tree removal. Restoring public access to forest in the project area in a safe, ecologically-sensible manner is of the utmost importance, and there are many trade-offs associated with felling danger trees. Fire is an important ecological process that shapes our forests and the benefits we obtain from it. Logging degrades the natural beauty and ecological functions of mature and old-growth forests that burn in wildfires, impedes the future development of a diverse forest understory, removes or fragments wildlife habitat, introduces or spreads weeds and invasives throughout the environment, degrades soils, and adds sediment to waterways. The trees that the agency may deem as dangerous can also act as significant carbon stores and highly valued habitat features that play critical roles in hydrology, soil development, nutrient cycling, sediment routing, and more. Ultimately, we encourage the agency to execute post-fire risk reduction projects that protect public safety *and* safeguard important ecological values. We oppose efforts to increase the number of miles treated and encourage the district to prioritize its risk reduction efforts where risk to humans is highest, such as near campgrounds and main throughways.

2. Water Quality and Aquatic Habitat

We are concerned about the project's potential effects on water quality and imperiled aquatic species and habitat but support efforts to improve habitat with large woody debris. Streams within and downstream of the project area support Upper Willamette River spring Chinook salmon and bull trout, which are listed as threatened under the federal Endangered Species Act and are State Sensitive Species. Fires result in the loss of riparian vegetation and shade, introduction of sediment and debris, culvert damage, peak flow changes, and increases in water temperature. The draft EA states that stream temperatures in the project area could increase by as much as 3.7 degrees Celsius, which is concerning given the number of streams in the project area that are water quality impaired and the increasingly hotter, drier summers we experience due to climate change. Draft EA at 63, 65. These fish need cool, clean water to survive. The project is likely to adversely affect these

species and their habitat. Draft EA at 74. We encourage the district to maximize shade retention, minimize soil disturbance, and prioritize road and culvert maintenance such that impacts to water quality and aquatic species and habitat are reduced.

3. Soils

We are concerned about soil degradation in the project area, especially in the areas that have burned multiple times (Gales Creek Fire in 2021, Jones Fire in 2017, and Clark fire in 2003). About a third of soils the Bedrock Fire area burned at high or very high severity. BAER Report at 2. The BAER reports notes that the large majority of the fire burned soil at low or moderate rates, and moderately burned soils retained fine roots and soil structure noting that "there is a good chance of recovery with the right timing and precipitation." *Id.* The BAER team states that "[n]atural recovery is the recommended treatment to address concerns to soil productivity and hydrologic function." BAER Report at 3.

We are concerned that implementation of the hazard tree removal project could hinder recovery processes, as project actions could compact soils and increase erosion and runoff. The draft EA states, "Burn severity directly relates to how intensely an area would be treated. In areas of high mortality, more trees would meet the selection criteria to be fallen." While heavy equipment will largely be confined to the road prism, we are concerned about the likelihood of increasing soil compaction and runoff by falling trees and moving them to the road. Draft EA at 68. This is especially concerning in areas with high soil burn severity, which are most fragile. Fall and leave in areas with high soil burn severity or high erosion potential, including steep or otherwise unstable areas, is appropriate, as is limiting implementation and hauling to dry conditions.

4. Weeds and Invasives

We are concerned about the existence and spread of weeds and invasives in the project area, especially as climate change leads to hotter, drier summer conditions that allow for the spread of weeds and invasives.

> Suppression work included construction of 114 acres of dozer line and handline. In addition, there were 351 acres of brushing, chipping, snagging and danger tree removal along roads for contingency line. There were also 141 acres of ground disturbance from drop points, staging areas, log decks, and heli-spots that were created because of the fire. These may all serve as weed seed dispersal corridors. Dispersal of weeds from fire equipment movement poses a significant risk to native plant post-fire regeneration. Even though a weed washing station was brought in, seed may have been transported into the burn on suppression vehicles and equipment that arrived on the fire before the washing station was established. This increases the possibility of suppression equipment acting as weed seed vectors. In addition, localized invasive weed populations exist immediately adjacent to moderate and high severity burned areas and may spread into approximately unaffected areas now that native vegetation has been removed. BAER treatments

include the detection survey, treatment (manual removal, and chemical application), and monitoring of invasive species infestation in these suspectable acres.

BAER Report at 11.

The draft EA describes the status of noxious weeds and invasives in the treatment area:

> Within the perimeters of all three Fires there are 1,857 acres of known non-native invasive plant infestations, of which 1,222 acres of infestations intersect with proposed treatment areas (Tables 3-5 in BA/BE). There are 1,095 acres infested with species considered the highest priority for treatment (Priority 1) within the three Fire areas, with 76% of these in the Bedrock Fire area; 827 of these acres intersect treatment areas.

Draft EA at 30. It makes clear that felling danger trees will encourage spread:

> Most of these invasive plant sites are along roadsides. Felling danger trees would allow more light onto roadside habitats sooner than naturally falling trees would, which could enable invasive species to colonize and spread more quickly. Project activities involving decking aquatic restoration logs and then moving them into riparian areas of new watersheds could be a vector for spreading invasive species propagules (e.g. seeds and fruit) into new and susceptible habitats within or outside the project area. This is especially true for invasive species with small airborne fruits, such as Canada thistle and tansy ragwort, that also stick to things and could be easily transported on logs. Successful treatment of infestation sites requires safe access for personnel, most often for more than one year of treatment, and then post treatment seeding, mulching, and monitoring. While the project activities would likely create some soil disturbance, more light reaching the ground, and other conditions that would exacerbate infestations, the PDFs (PDF Botany 1-5) would decrease potential risks of introduction of new invasive species. The outcome of safe access to the areas for treatment is a direct positive benefit.

Have the proposed PDFs been shown to be effective at preventing the spread of weeds and invasives in danger tree felling implementation on this district or others? If so, please describe such instances in the final EA or explain why not. Does the district have the capacity and resources necessary to treat weeds and invasives? The need to avoid spreading weeds and invasives supports a limited approach to falling danger trees.

5. Wildlife Habitat

We are concerned about impacts to northern spotted owls from hazard tree felling. The district determined that the project is not likely to adversely affect northern spotted owl, the only listed wildlife species in the project area. Project actions could downgrade 7 acres of LSR from suitable to dispersal habitat and remove post-fire foraging habitat.

The draft EA states:

> Treatments performed in PFF are assumed to remove the habitat, so any PFF that undergoes treatment in nest patches is not maintained. Treatments would overlap 16 nest patches where suitable, dispersal, and PFF habitat would be maintained.

Draft EA at 80. Does the agency mean to say would *not* be maintained here?

The EA also states, "The proposed action would not contribute to barriers to spotted owl movement in the fire area." *Id.* Please provide support for this conclusion. We are concerned that hazard tree felling will increase forest fragmentation (including in reserves and critical habitat), increasing the extent of habitat inhospitable to spotted owls, converting complex forests into simplified forests, increasing fire hazard by increasing dense plantation fuel structure, reducing spotted owl roosting and foraging opportunities, reducing spotted owl prey populations, increasing spotted owl disturbance by logging activity, increasing adverse competitive interactions with barred owls, all of which make it harder for spotted owls to persist and move safely across the landscape.

In our previous comments, we encouraged the district to maintain ample down woody debris and snag habitat. Science shows a strong association between abundant dead wood and spotted owl prey. The draft EA states that "DecAID analysis updated for the 2023 fires (Garcia 2024) showed that with the recent fire activity snag abundance forest-wide is at or above median reference condition." Draft EA at 82. Downed wood levels have not been estimated for the 2020–2023 fire areas. *Id.* We encourage the district to continue monitoring downed wood and snag habitat levels throughout implementation to ensure that this important habitat type is maintained for wildlife and their prey.

We are also concerned about Survey and Manage species in the project area. The draft EA states that three are likely present (great gray owl, red tree vole, Crater Lake tightcoil). Draft EA at 27. Red tree voles are especially vulnerable to habitat loss and fragmentation, which could result from the project. The district also claims that "because project activities would only fall and remove trees that are dead or dying, they no longer provide habitat for lichens, bryophytes, or fungi that depended on them for habitat or mycorrhizal connectivity." Draft EA at 27. What is the basis for this assumption? It is inaccurate—the decayed surface of a snag provides a growth substrate for fungus, moss, and lichen. Please correct this in the EA and analyze impacts to lichens, bryophytes, and fungi. We urge the district to thoroughly consider impacts to Survey and Manage species in the EA; surveys are likely warranted to avoid negative impacts to these species.

6. Unroaded Areas

In our previous comments, we urged the Forest Service to strive to conserve the unroaded areas >1,000 acres. About 13 acres of treatment area for the project are in inventoried

roadless areas. Draft EA at 123. Did the district consider impacts to uninventoried unroaded areas?

We are concerned about habitat fragmentation due to an unnecessarily large road system that could be exacerbated by project actions. Unroaded areas provide disproportionate ecosystem services related to soil conservation, water quality, habitat quality and connectivity, snag habitat, carbon storage and climate mitigation, non-motorized recreation, etc. Logging and road building in unroaded areas significantly degrades those values. Roadless areas also play a significant role in both climate change mitigation (through carbon storage) and climate change adaptation (by facilitating connectivity and resilience to disturbance).

The Forest Service should develop alternatives that minimize adverse effects on ecologically significant areas, including unroaded areas. The agency should fully disclose the loss of ecosystem services from the shrinking landscape of undeveloped areas compared to the natural range of variability, and the cumulative effects of those losses, including the effects of this project. Where roads to be treated under this project border unroaded areas, consider options such as: forgoing treatments and allowing natural processes to flourish in the unroaded areas, which may require closing the road to reduce the risk that people will be exposed to risks. Another option is to shrink the footprint of the treatments to provide a balance between conserving the diverse values associated with unroaded areas and the risk aversion reflected in wider treatments.

Conclusion

Thank you for working to develop the project. We recommend undertaking a conservative hazard-tree removal process that targets only true hazard trees and reopens necessary roads while minimizing the volume of wood removed from the forest. Accordingly, the agency should consider scaling down the scope of the project proposal as much as possible to prioritize a transportation system that is manageable and maintainable.

Each substantive issue discussed in these comments should be (i) incorporated into the purpose and need for the project, (ii) used to develop NEPA alternatives that balance tradeoffs in different ways, (iii) carefully analyzed and documented as part of the EA or an EIS, and (iv) considered for mitigation. Thank you for taking our input into consideration. Please feel free to reach out with any questions or to request copies of referenced documents.[4]

[4] Note: If any of these web links in this document are dead, they may be resurrected using the Wayback Machine at Archive.org: http://wayback.archive.org/web/. Referenced documents can be found at the following Dropbox link: https://www.dropbox.com/sh/ctippifimdczyk6/AACp2fJYnsIjRuyFh96ocie3a?dl=0.

Sincerely,

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