

23 December 2024

Jennifer Eberlein, Regional Forester
U.S. Forest Service, Region 5

Sent via CARA

Re: "North Fork Forest Recovery Project Objection"

Dear Ms. Eberlein,

I, Joshua French, am submitting this objection in firm opposition to the North Fork Forest Recovery Project on the Plumas National Forest. The responsible official is Richard Hopson, Acting Forest Supervisor, Plumas National Forest. My objection will focus primarily on the unsatisfactory responses to my concerns regarding the Environmental Assessment and their implications. Specifically, neither my concerns expressed in my additional and supplementary comments regarding the North Fork Forest Recovery Project nor the comprehensive comments from the John Muir Project et al., which I have signed and fully support, have been adequately addressed in the draft decision or in responses to comments. I hereby incorporate both comment letters by reference as they qualify as comments previously submitted during public involvement opportunities for the proposed project.

Moving forward, I wish to outline my specific objections related to the impacts of this project and highlight the need for an EIS or withdrawal of the project, at the very least the high impacts management activities:

Climate Change Considerations

I object to the Forest Service's inadequate analysis of the project's climate change impacts, violating NEPA's requirement for agencies to take a "hard look" at environmental consequences (40 CFR § 1502.16). The USFS response claims that the project will reduce the likelihood and severity of future wildfires, resulting in a net carbon benefit. However, this assertion fails to adequately address the scientific evidence I presented in my comments, specifically:

1. Hudiburg et al. (2019) found that logging-related emissions in California, Oregon, and Washington were on average five times greater than emissions from wildfires.
2. Harris et al. (2016) reported that a staggering 85% of carbon emissions from U.S. forests were attributed to logging, while only 12% resulted from wildfire and other natural disturbances.

The USFS's analysis does not sufficiently account for these findings, nor does it provide a comprehensive comparison of long-term carbon sequestration potential under natural regeneration versus salvage logging scenarios. This omission violates NEPA's requirement for accurate and high-quality information in environmental documents (40 CFR § 1502.24). I request a more thorough analysis that incorporates the latest scientific research on carbon dynamics in post-fire forests and compares the long-term carbon sequestration potential of natural regeneration versus the proposed salvage logging and reforestation activities. The USFS does not address the cumulative impacts that the removal of these vital carbon sinks have on global climate by virtue of their ability to sequester future carbon emissions.

Additionally, the USFS has not considered that the procedures used to calculate its estimates may be invalid. As I said in my comments: A letter of concern submitted to the California Air Resources Board (CARB) by the Center for Biological Diversity and other organizations highlighted this issue. (CBD et al., 2019) pointed out that CARB's models assume an unrealistically high percentage of incineration during wildfires, leading to grossly overestimated emission figures. This concern is supported by research from Stenzel et al. (2019), which demonstrated that model-based calculations often significantly overstate actual wildfire emissions. In the responses to comments the USFS sites CARB figures for wildfire emissions without consideration of the fact that these figures may be inaccurate data. Plus non consideration of the impacts of carbon sink removal on future carbon sequestration in responses to comments further exacerbate the inaccuracy of the project emissions figure provided.

Black-backed Woodpecker Impacts

I object to the Forest Service's failure to adequately analyze the project's impacts on Black-backed Woodpecker habitat, violating the National Forest Management Act's requirement to maintain viable populations of existing native species (16 U.S.C. § 1604(g)(3)(B)). My comments cited specific research by Hanson and Chi (2020), which demonstrates that Black-backed Woodpeckers strongly prefer areas with at least 270 medium and large snags per hectare and larger high-severity fire patches exceeding 100 hectares. The USFS response fails to address these habitat requirements or analyze how the proposed salvage logging will impact the availability of suitable habitat.

The proposed salvage logging poses significant threats to the Black-backed Woodpecker, a species highly dependent on post-fire habitats. While the USFS response cites historical fire regimes and recent large fires in the Plumas National Forest, noting that approximately 50% of conifer forests have burned at high severity, it does not adequately consider the ecological role of the Black-backed Woodpecker in these post-fire environments. The species has historically adapted to such habitats, as evidenced by its dark camouflage and specialized foraging behaviors, which allow it to thrive in areas with abundant snags.

Furthermore, while the USFS argues for managing post-fire fuels and reestablishing forest cover within extensive high-severity burn patches to prevent further forest loss, it overlooks the critical importance of preserving existing high-severity habitats for Black-backed Woodpeckers. The assertion that removing fire-killed trees will reduce ladder fuel loading fails to recognize that these trees are essential for maintaining suitable habitat conditions for the woodpecker. The USFS's claim that fire-killed trees contribute to ladder fuel loading does not consider that these trees provide crucial nesting sites and foraging opportunities for Black-backed Woodpeckers.

Additionally, the cumulative impacts of this project, combined with others like the Community Protection Project, could significantly reduce and fragment critical Black-backed Woodpecker habitat. The USFS's cumulative impact analysis is inadequate under NEPA (40 CFR § 1508.7) and fails to account for how habitat fragmentation can diminish the woodpecker's ability to find adequate food resources and nesting sites. The response does not sufficiently analyze how proposed actions will interact with ongoing projects in the area, which could exacerbate habitat loss.

It is also concerning that the Forest Service relies on outdated or flawed studies when assessing Black-backed Woodpecker habitat needs. For instance, the Andrew et al. (2018) study has been criticized for its methodology and conclusions. In contrast, Hanson and Chi employed robust techniques, including LiDAR technology, to accurately assess habitat preferences. This reliance on less rigorous studies undermines the validity of the analysis presented by the USFS.

Given these findings, I strongly urge the Forest Service to reconsider the vast and cumulative extent of proposed salvage logging, particularly in large high-severity burn patches. Preserving these areas is crucial not only for the Black-backed Woodpecker but also for the overall ecological recovery and resilience of our forests in the face of climate change.

I request a comprehensive analysis of the project's direct, indirect, and cumulative impacts on Black-backed Woodpecker habitat, incorporating the best available science on the species' habitat requirements. This analysis should address both current conditions and potential future scenarios resulting from proposed actions.

Additional Wildlife Impacts

I object to the Forest Service's failure to adequately analyze the project's impacts on a wider range of post-fire specialist species, violating NEPA's requirement for a "hard look" at environmental impacts (40 CFR § 1502.16). My comments highlighted that 13% of native bird species positively select interior spaces of large high-severity fire patches, despite these areas comprising less than 1% of Sierra Nevada forests (Steel et al. 2022). The USFS response does not address this important ecological consideration or analyze how the proposed salvage logging will impact these species and their habitats. I request a thorough analysis of the project's impacts on all post-fire specialist species, including but not limited to Mountain Bluebird, Western

Tanager, Olive-sided Flycatcher, Hairy Woodpecker, and White-headed Woodpecker. This analysis should consider the cumulative impacts of habitat loss and fragmentation across multiple projects in the region.

Natural Regeneration and True Forest Recovery

I object to the Forest Service's approach to forest recovery, which hinders natural regeneration processes and therefore may violate the National Forest Management Act's requirement to provide for diversity of plant and animal communities (16 U.S.C. § 1604(g)(3)(B)). My comments cited research showing that salvage logging can significantly impede natural forest regeneration. Specifically, Donato et al. (2006) found that over 70% of natural post-fire conifer regeneration was killed by ground-based post-fire logging. The USFS response does not adequately address this concern or provide a compelling justification for extensive salvage logging over natural regeneration. I request a reevaluation of the project's approach to forest recovery, with a greater emphasis on allowing and facilitating natural regeneration processes. This should include a comparative analysis of the long-term ecological benefits of natural regeneration versus the proposed salvage logging and artificial reforestation.

Inadequate and Inconsistent Data Accessibility

I object to the Forest Service's failure to provide adequate and consistent Geographic Information System (GIS) data for public review, undermining meaningful public participation and violating NEPA's requirements for informed decision-making (40 CFR § 1506.6). The absence of accessible GIS data for the North Fork Forest Recovery Project (166,889 acres), especially when compared to the adjacent Community Protection Project (218,000 acres), raises serious concerns about transparency and consistency in the Forest Service's approach to public engagement.

My comments regarding the lack of GIS data provision and the critical inconsistency in data availability were not addressed in the agency's responses to public comments. No attempt was made to rectify this issue by providing publicly accessible GIS data during the objection period. This would have been a straightforward step demonstrating good faith and transparency in response to public concerns raised during the EA comment period. In contrast, GIS data was included for the Community Protection Project during the initial EA comment period, and your agency went further by providing updated data as part of the objection materials. This follow-through was appreciated, as it proved useful to me and other concerned parties, highlighting its relevance when included.

The disparity in GIS data provision between these two projects is glaring. While static image maps included in public materials demonstrate that GIS data exists—since professional GIS software was used to create them—the underlying digital mapping information has not been

made available. This inconsistency is particularly egregious given that GIS data for the Community Protection Project allowed the public to effectively analyze its impacts.

The lack of comparable GIS data for the North Fork Forest Recovery Project prevents citizens from fully understanding the project's scope and potential impacts. Furthermore, the responses to comments fail to address this critical issue, exacerbating concerns about transparency. Without access to GIS data, citizens cannot perform analyses or assess how specific areas, including old-growth stands, wildlife habitats, watersheds, etc, might be affected by proposed actions. This lack of transparency obscures the true extent of the project and erodes public trust in the decision-making process.

This multipart failure is unacceptable for several reasons:

1. **Undermines Public Participation:** The absence of GIS data prevents effective analysis or understanding of the project's impacts across the vast project area.
2. **Obscures True Project Scope:** Without accessible mapping information, it is nearly impossible for citizens to grasp which specific areas may be affected and how wildlife habitats could be impacted.
3. **Violates NEPA Principles:** By withholding crucial project information, the Forest Service fails to uphold NEPA's principle of informed public participation.
4. **Systemic Transparency Issues:** This situation reflects a broader pattern where the Forest Service has consistently failed to provide project data in publicly accessible formats across multiple projects, undermining transparency and accountability.

Given these concerns, I request that the Forest Service rectify this issue by providing complete and accessible GIS data for the North Fork Forest Recovery Project to allow for informed public participation per NEPA requirements. Additionally, due to the agency's failure to adhere to proper procedures by not providing this data during opportunities for public participation, I urge you to withdraw the draft decision and reinitiate both EA comment and objection periods. This will enable informed public participation based on crucial information that should have been previously provided.

Moreover, I maintain that due to these significant deficiencies in data accessibility and analysis, a comprehensive Environmental Impact Statement (EIS) is warranted. The current Environmental Assessment (EA) does not adequately address the full range of potential impacts associated with this extensive project or consider cumulative effects from adjacent projects. An EIS would ensure a thorough examination of all environmental consequences and provide a more robust opportunity for public involvement in decision-making processes. The inconsistency in data provision further underscores the need for an EIS due to a lack of transparency in the decision-making process.

This lack of GIS data isn't just about maps – it's about transparency, public participation, and ensuring that our forests are managed with full consideration of all potential impacts. The Forest Service's failure in this regard violates NEPA's spirit and undermines public trust in their decision-making process. In an era where most people can easily explore their neighborhoods using free online mapping tools, it is unacceptable that citizens cannot do the same for proposed actions in their national forests.

Project Naming and True Recovery

I object to the Forest Service's mischaracterization of this project as a "recovery" effort, which violates NEPA's requirement for accurate and high-quality information in environmental documents (40 CFR § 1502.24). As detailed in my comments, the proposed actions, particularly extensive salvage logging, are contrary to true ecological recovery based on the best available science. This mischaracterization misleads the public and decision-makers about the true nature and impacts of the project. I request that the Forest Service reassess and accurately characterize the nature of this project, acknowledging the potential negative impacts on natural regeneration, wildlife habitat, and long-term forest resilience.

Need for a Full EIS

I object to the Forest Service's failure to prepare a full Environmental Impact Statement (EIS) for the North Fork Forest Recovery Project, violating NEPA's requirements for projects with potentially significant environmental impacts (40 CFR § 1501.3). The project's extensive scope (166,889 acres) and potential for significant environmental impacts warrant a comprehensive EIS. Specifically:

1. **Project Scope and Complexity:** The project covers 166,889 acres and includes prescribed fire, variable density thinning, fuel reduction, hazard tree removal, reforestation, invasive species management, and other activities. This extensive scope warrants a more comprehensive analysis than an EA can provide.
2. **Cumulative Effects:** While the USFS considered cumulative effects to some extent, the analysis is insufficient given the scale of the project and its potential impacts. The EA fails to adequately analyze cumulative effects, particularly when considering adjacent projects like the Community Protection Project.
3. **Climate Change Impacts:** The EA's analysis of climate change impacts is inadequate. While the USFS estimates project emissions at 500,000 tonnes of CO₂eq per year over 20 years, it fails to provide a comprehensive comparison of long-term carbon

sequestration potential under different management scenarios. The cumulative impacts of the removal of vital carbon sinks on their ability to sequester future carbon emissions is not addressed.

4. Wildlife Impacts: The EA lacks a thorough analysis of impacts on various post-fire specialist species, including the Black-backed Woodpecker, Spotted Owl and other species mentioned in my original comments and the John Muir Project et al comments that I have signed and fully support.

The inadequacy of the current Environmental Assessment in addressing these complex and potentially significant impacts demonstrates the need for a full EIS. I concur with the John Muir Project's assessment that an EIS is necessary for this project. I request that the Forest Service prepare a comprehensive EIS that thoroughly analyzes the direct, indirect, and cumulative impacts of the proposed actions, considers a full range of alternatives, and provides a more robust opportunity for public involvement in the decision-making process.

Objection Resolution:

To resolve these objections, I urge the Forest Service to prepare a full EIS or modify the project decision to focus solely on defensible space pruning near human structures and implement fire management practices that prioritize prescribed fire without thinning or herbicide use in most areas without intensive “management” activities/salvage logging. This approach would help protect critical habitats while addressing fire safety concerns.

Conclusion:

Additionally I endorse and fully support the John Muir Project et al objection on this project which further elaborates concerns that I share.

I appreciate the opportunity to object to the North Fork Forest Recovery Project. Please address my concerns so that this objection can be resolved. If you have any questions regarding my objection letter, please contact me.

Sincerely,

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