

January 17, 2024

Supervisor John Sinclair, Reviewing Officer
Attn: EPS Objections
Suite 800
USDA Forest Service, Eastern Region
626 East Wisconsin Avenue
Milwaukee, WI 53202

Subject: Telephone Gap Integrated Resource Project, Draft Decision Notice and Finding of No Significant Impact - Project 60192

Supervisor Sinclair,

I respectfully file this Objection to the Telephone Gap Integrated Resource Project (“TGIRP”) Final Environmental Assessment (EA) Draft Decision Notice and Finding Of No Significant Impact (“Draft DN/FONSI”). This Objection is submitted prior to the deadline for objections of 01/17/2025. I have standing to submit this Objection as I previously submitted Comments during the Comment Periods for the TGIRP Scoping Document and Preliminary Environmental Assessment. My Objections are specific and related to my previous Comments and to some new information that was not included in the TGIRP Scoping Document nor the TGIRP Preliminary Environmental Assessment.

My name is Mark Nelson and I live in Ripton, VT. My family and I recreate in the Green Mountain National Forest (“GMNF”) on a regular basis including the TGIRP project area. The GMNF provides opportunities to enjoy solitude, visit areas with older tree stands, which are rare in Vermont, enjoy unspoiled clean headwater streams, and experience wildlife. I am actively engaged in forest and water protection in Vermont through my engagement with multiple organizations and I am the Board Chair for Standing Trees. There is sufficient peer reviewed literature available to the US Forest Service (USFS) concerning the biological and climate crisis that we find ourselves in and I would hope that the USFS is in agreement that we are in fact in a crisis and that we need to take appropriate rapid actions to protect the forests that act to absorb a significant amount of the excess carbon in our atmosphere, provide clean water, and protection from extreme weather events. I respectfully submit this Objection to the TGIRP Final EA and Draft DN/FONSI.

Here are my Objections linked to my previous Comment letters:

Issue: Reliance on the 2006 Green Mountain National Forest Land and Resource Management Plan.

Original Comment: The TGIRP, along with several other recently approved GMNF projects, references and draws direction from the 2006 Green Mountain National Forest Land and Resource Management Plan and Amendments (collectively 2006 GMNF LRMP). This plan is well

beyond its expected life of 10-15 years as required by the National Forest Management Act (NFMA). And as such, it contains information and data that is out of date. Using out of date information and data can lead to incorrect decisions that have long-range and long-term impact on the climate, the environment and society.

Objection: The TGIRP Final EA and Draft DN/FONSI continue to rely on an outdated plan that is bereft of the most recent scientific studies and knowledge related to forest health and carbon sequestration, and specifically mature and old-growth forests. Per the National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change (Section VI., D. Using Available Information), Agencies should make decisions using current scientific information and methodologies.

Issue: Non-compliance with Executive Order 14072 “Strengthening the Nation’s Forests, Communities, and Local Economies” and proposed logging actions in areas with old and mature trees.

Original Comment: The TGIRP Proposed Action does not mention or reference Executive Order 14072 that was effective April 22, 2022. This Executive Order recognizes the significance of forests on Federal lands to the health, prosperity, and resilience of communities and the importance of these forests to provide clean air and water and their essential role in combating the biodiversity and climate change crisis that we face. The Executive Order committed to “... managing forests on Federal lands, which include mature and old-growth forests, to promote health and resilience; retain and enhance carbon storage; conserve biodiversity; mitigate the risk of wildfires; enhance climate reliance; enable subsistence and cultural uses; provide outdoor recreational opportunities; and promote sustainable economic development.” (Executive Order 14072, Sec. 2) A significant amount of the proposed logging is in areas that contain trees greater than 80 years old, with some areas containing trees greater than 100 years old (USDA TGIRP Stand Age Class Map). These areas provide the greatest amount of opportunity for biological study, the greatest amount of biodiversity, the greatest amount of stored carbon, the highest levels of carbon storage uptake, the greatest benefits for clean water, and the highest resilience to climate change and extreme weather events.

Concern: The environmental analysis and any decisions for the TGIRP must follow the directions of Executive Order 14072 and must limit logging activities near and within areas that contain trees 80+ years old.

Objection: The TGIRP EA and Draft DN/FONSI state that “No old growth forests as defined by the Forest Plan or Vermont state-designated old forests are proposed for harvest.” The 2006 GMNF LRMP is 18 years old. Since that time, the USFS has not updated the inventory of old growth stands in the GMNF. Therefore, the statement is not based on current information and is cannot be construed to be in compliance with Executive Order 14072.

Issue: Compliance with the Council on Environmental Quality “National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change” (“CEQ GHG Guidance”) and Quantifying the TGIRP Greenhouse Gas (GHG) Emissions.

Original Comment: Sections IV and V of the CEQ GHG Guidance provide clear guidance for disclosing and considering the reasonably foreseeable effects of proposed actions including the

extent to which a proposed action and its reasonable alternatives (including the no action alternative) would result in reasonably foreseeable GHG emissions that contribute to climate change and the importance of considering mitigation actions, climate resilience and adaptation.

Objection: The TGIRP EA and Draft DN/FONSI does not comply with the CEQ GHG Guidance.

- Section 2.3.2 “Carbon and Greenhouse Emissions” of the TGIRP Draft DN/FONSI closes with the statement “Based on my close review and consideration of carbon and greenhouse gas emissions related effects, I have concluded they are not significant.” This statement is made based on trying to minimize the GHG impact of the TGIRP by comparing it to other sources of GHG’s. The CEQ GHG Guidance states “NEPA requires more than a statement that emissions from a proposed Federal action or its alternatives represent only a small fraction of global or domestic emissions. Such a statement merely notes the nature of the climate change challenge, and is not a useful basis for deciding whether or to what extent to consider climate change effects under NEPA. Moreover, such comparisons and fractions also are not an appropriate method for characterizing the extent of a proposed action’s and its alternatives’ contributions to climate change because this approach does not reveal anything beyond the nature of the climate change challenge itself—the fact that diverse individual sources of emissions each make a relatively small addition to global atmospheric GHG concentrations that collectively have a large effect. Therefore, when considering GHG emissions and their significance, agencies should use appropriate tools and methodologies to quantify GHG emissions, compare GHG emission quantities across alternative scenarios (including the no action alternative), and place emissions in relevant context, including how they relate to climate action commitments and goals.” The carbon and greenhouse gas emissions quantified in the TGIRP EA are significant and are contributing to a significant increase in GHG emissions in VT. A state that is actively trying to reduce GHG emissions. This statement also neglects the Social Costs of the GHG emissions from the TGIRP. Regardless of the discount rate used in the analysis (TGIRP EA Appendix G), the Social Costs of GHG emissions for Alternative C are many magnitudes of Alternative A, No Action.
- Section 3.4 Carbon and Greenhouse Gas Emissions of the TGIRP EA does not include “connected actions” anywhere in the analysis. CEQ GHG Guidance Section IV E. Direct and Indirect Effects states that “In addition to addressing an action’s direct and indirect effects, NEPA requires agencies to address the effects of “connected” actions.”
- Section 3.4 Carbon and Greenhouse Gas Emissions of the TGIRP EA does not include all of the “indirect effects” of the proposed alternatives in the analysis. CEQ GHG Guidance Section IV E states “The term “indirect effects” refers to effects that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects generally include reasonably foreseeable emissions related to a proposed action that are upstream or downstream of the activity resulting from the proposed action. For example, where the proposed action involves fossil fuel extraction, direct emissions typically include GHGs emitted during the process of exploring for and extracting the fossil fuel. The reasonably foreseeable indirect effects of such an action likely would include effects associated with the processing, refining, transporting, and end-use of the fossil fuel being extracted, including combustion of the resource to produce energy.” As stated in my previous comment letter, the TGIRP EA should include the GHG emissions from the

transportation of the logs to the point of manufacturing, the GHG emissions resulting from the manufacturing and distribution of the end products, and the GHG emissions and other particulates released from any burning of the logging products such as biomass.

Issue not included in my prior comment letters but new since the issuance of the TGIRP Scoping and Preliminary EA.

Both the TGIRP Preliminary EA and EA state “Green Mountain National Forest has only historical occurrence records for two of the threatened or endangered species listed: gray wolf and Canada lynx. These species are not known to occur on the Forest, and their presence at any time soon is unlikely.” According to public records obtained by Standing Trees, a Canada Lynx was seen on September 3rd, 2024 walking just outside of the GMNF headquarters in Mendon. This sighting challenges the statement in the TGIRP Preliminary EA and EA. Therefore, they should both be amended and appropriate analysis performed to quantify the impact of the various Alternatives on the Canada Lynx.

I still maintain that based on the scale of the TGIRP and the environmental impact, a full Environmental Impact Statement should be performed before issuing the final Decision Notice.

I continue to support Alternative A for the following reasons:

Alternative A supports and is in compliance with Executive Order 14072 “Strengthening the Nation’s Forests, Communities, and Local Economies”. Alternative A ensures no logging in areas that contain trees that are 80 years or older. Alternative A ensures the protection of areas that provide the greatest amount of opportunity for biological study, the greatest amount of biodiversity, the greatest amount of stored carbon, the highest levels of carbon storage uptake, the greatest benefits for clean water, and the highest resilience to climate change and extreme weather events.

Alternative A will result in the lowest amount of GHG emissions resulting from logging activities - both direct and indirect, and short and long term. Alternative A will require no mitigation efforts on the part of the USFS to avoid GHG emissions, impacts to water quality, impacts to any and all plants and wildlife, with a particular focus on the Northern Long-eared Bat, and avoid impacts to solitude and backcountry experiences.

I would welcome the opportunity to meet with USFS staff to discuss my Objections. Thank you for allowing me to submit them.

Sincerely,
Mark Nelson
Ripton, VT