



VIA Link: <https://www.fs.usda.gov/project/lolo/?project=66344>

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Dear Project Leader:

On behalf of the American Forest Resource Council (AFRC) and its members, thank you for the opportunity to comment on the Tylers Kitchen Fuels Reduction and Forest Health Project (Tyler's Kitchen).

AFRC is a regional trade association whose purpose is to advocate for sustained yield timber harvests on public timberlands throughout the West to enhance forest health and resistance to fire, insects, and disease. We do this by promoting active management to attain productive public forests, protect adjoining private forests, and assure community stability. We work to improve federal and state laws, regulations, policies, and decisions regarding access to and management of public forest lands and protection of all forest lands. Many of our members have their operations in communities within and adjacent to the Lolo National Forest and management on these lands ultimately dictates not only the viability of their businesses, but also the economic health of the communities themselves.

The Tyler's Kitchen Project includes 33,440 acres of forested land, southeast of the confluence of Rock Creek and the Clark Fork River starting about 20 miles east of Missoula. Approximately 5,900 acres within the project area (18%) are former private timber industry lands acquired by the Forest Service over the past two decades. Current forest health conditions limit safe and effective fire suppression and are actively contributing to insect and disease outbreaks. In addition to the timber resources found in the project area, there are multiple other values of concern within and adjacent to the project area that could be impacted by severe wildfire. Private development includes multiple residences in the Rock Creek drainage and along the I-90 corridor. Approximately 10.5 miles of Bonneville Power Administration (BPA) high voltage transmission line runs through the project area, and there is also a communication tower in Tyler Creek drainage. Additionally, the Tyler Gena grazing allotment is in the Tyler Creek drainage. AFRC staff and our members have visited the Project area twice with Forest Service personnel

and have seen firsthand the forest health and heavy fuels conditions found in the area. The pictures below are from our trip to the Project area in 2021 and highlight the poor forest health and the need for management on much of the Project area. Conditions in the area since that time have only worsened and treatment is imperative.

Dense Stands of Douglas-fir with mortality



Mixed species stands with dead spruce



Powerline in Project area under dense fuels.



Unhealthy lodgepole stands



AFRC continues to support the District's Need and Rational for treating the area which includes:

- Reduce forest fuels
- Restore vegetation conditions that are resilient to natural disturbances
- Provide wood products that contribute to local and regional economies
- Maintain a suitable transportation system to support long-term land management and public uses and reduce environmental effects.

While AFRC supports the Project being implemented quickly, we offer the following suggestions and support for the Project which we hope will improve and strengthen your planning document and Project record.

AFRC strongly supports this Project being planned using the Authorized Emergency Actions under section 40807 of the Infrastructure Investment and Jobs Act (PL 117-58) on National Forest System (NFS) lands. The Tyler's Kitchen Project is located in one of the 250 identified High Risk Fireheds associated with the agency's Wildfire Crisis Strategy. These Emergency Actions are taken to achieve relief from threats to public health and safety, critical infrastructure, and/or to mitigate threats to natural resources. The area exemplifies why Emergency Action is needed due to forest health issues, infrastructure impacts (power lines, private lands, and Interstate 90) and fuels reduction needs. As pointed out in the scoping document *"Overhead powerlines are the most at-risk critical infrastructure within the project area. Unplanned ignitions originating from powerlines have had negative outcomes to human life, property and the environment and instances of these events continue to increase."*

AFRC is very pleased to see that the District acknowledges that providing wood products contributes to local and regional economies and the sustainable supply of timber from NFS lands. This has always been a key need and factor in any forest management project from AFRC's perspective, but it has become a very acute need with the recent closure of two sawmills in Montana---Pyramid Mountain Lumber in Seeley Lake, and R-Y Timber in Townsend.

That being said, we are very disappointed that the amount of commercial timber harvest has been reduced. The table below is from the scoping document and shows that 5,697 acres were planned for intermediate or regeneration harvests.

Table 1. Proposed vegetation treatments

Treatment Type	Acres
Acquired Land Treatments	3,002
Intermediate Harvest	3,397
Prescribed Fire	7,496
Regeneration Harvest	2,300
Shaded Fuel Break	228
Small Tree Commercial Thinning	400
Non-Commercial Thinning	2741
Grand Total	18,566

The table below is from the Draft EA document and shows that only 4,082 acres are proposed for timber harvest. That represents a 29 percent reduction in the number of acres being commercially treated. It also means that only 12 percent of the project area will be commercially treated.

Table 1. Summary of vegetation management activities

Vegetation Management Activity	Approximate Acres
Intermediate Harvest	2,661
Regeneration Harvest	1,421
Timber Harvest Subtotal	4,082
Non-commercial Thinning	3,205
Shaded Fuel Break (mechanized)	269
Non-commercial Fuels Treatment Subtotal	3,474
Prescribed Burning	7,812
Aspen Regeneration	400
Acquired Land Treatments	3,057
Other Non-Commercial Treatment Subtotal	11,269
Vegetation Treatment TOTAL¹	18,825
Total Footprint (discounts overlapping treatments)	18,096

AFRC and our members find it very concerning and puzzling that only 12 percent of the area is going to be commercially treated based on our visits to the area and the needs for action pointed out in the Draft EA. As stated in the document: *“Most of the project area (77 percent) contains dense homogeneous stands of Douglas-fir. Single species dominance reduces the resilience of the landscape from disturbances such as insects and fire. Susceptibility risk to Douglas-fir beetle is based on the tree density and diameter. Modeling shows roughly 72% of the forested landscape within the project area at moderate to high hazard for Douglas-fir bark beetle.”.*

AFRC and our members don’t believe you can fully achieve the purpose and needs identified above by reduction treatment acres. Additionally, we would like to remind the Forest that supporting local industry and providing useful raw materials to maintain a robust manufacturing sector should be a principal objective to any project, including the Tyler’s Kitchen Project. The Lolo Forest Plan allocates approximately 46 percent of the NFS land within the project area to Management Areas to be managed with an emphasis toward timber production. Another 19 percent is identified in the Forest Plan as suitable for timber harvest with objectives that include providing healthy timber stands. AFRC has pointed out before that the “restoration” treatments that are desired on these lands cannot be implemented without a healthy forest products industry in place, both to complete the necessary work and to provide payments for the wood products generated to permit the service work to be completed.

Montana’s forest products industry is one of the largest components of manufacturing in the state and employs roughly 7,000 workers earning about \$300 million annually. Without the raw material sold by the Forest Service, DNRC, and private lands these mills would be unable to produce the amount of wood products that the citizens of this country demand. Without this material, the industry would also be unable to run their mills at capacities that keep their employees working, which is crucial to the health of the communities that they operate in. These benefits can only be realized if the Forest Service sells their timber products through sales that are economically viable. This viability is tied to both the volume and type of timber products sold and the manner in which these products are permitted to be delivered from the forest to the mills.

Additionally, Table 4 below lists the percentage of the lands that will be improved after treatments.

Table 4. Percent of land within project area improved by meeting restoration objective

Objective	Percent land improved
Wildfire Behavior: Decrease likelihood of uncharacteristic stand-replacing wildfire	55%
Reduced Bark Beetle Susceptibility	38%
Age Class Diversity 1: Reverse the shift toward older age classes over the past 80 years	10%
Species Composition: Reverse the shift toward shade-tolerant species	32%
Climate Change Resilience: Restore patterns of burning and fuels and forest structure that reasonably emulate pre-fire exclusion historical conditions	55%

The Tyler’s Kitchen landscape will most likely not be reentered for two or three decades following the suite of actions being proposed. AFRC and our members find it unacceptable that wildfire risk, bark beetle susceptibility, age class diversity, and shift towards improved species composition show such little improvement with the proposed action.

The District is planning to implement shaded fuel breaks in and along strategic areas and travel routes and would modify fuels to alter potential fire behavior allowing for controllability of wildland fire. AFRC supports the use of these fuel breaks, but we do not support the proposed treatment regimens which include: *“Treatments would thin from below, removing small diameter trees (typically less than 10” dbh) that act as ladder fuels while favoring larger trees of desired fire-tolerant species. Some midstory and overstory trees (typically less than 12” dbh) would be removed, where feasible, to increase crown spacing and sold as commercial products.”* AFRC strongly suggests not having a diameter limit in the shaded fuel breaks management areas. Such arbitrary limitations may hamper the effectiveness of the treatments proposed to mitigate fire risk and provide for safe suppression in the event of a fire. Trees over 10-inches may function as ladder fuels capable of enabling a crown fire, and the Forest can’t get their stated goals of stopping wildfires in the shaded fuel breaks if trees only less than 10 inches dbh are removed.

In our scoping letter AFRC asked the District to more accurately describe the impacts of the No Action Alternative over the potential 20 years of the Project implementation timeline. Most of the Project area contains dense homogenous stands of Douglas-fir. Modeling shows over 90% of the Project area is dominated by Douglas-fir. This dominance of one species in an area, if not effectively managed, reduces the resilience of the landscape from disturbances such as insects and fire. The susceptibility risk to Douglas-fir beetles of an area is based on the tree density and diameter size of the trees. Within the project area, modeling shows roughly 50% of the area is at high risk of being attacked by Douglas-fir beetle. Numerous dead and dying pockets of Douglas-fir were observed throughout the project area due to expanded populations of Douglas-fir beetle. The Douglas-fir beetle prefers stressed Douglas-fir trees over 14” in diameter and usually attack the largest trees available in the area. It is likely that the Sapphire Complex Fire in 2017 caused the expansion of these beetle populations. The fire provided the beetles with a large food source

of fire-injured trees. Once the food source became scarce, the beetles expanded out from the fire area into areas that were weakened by the spruce budworm. With this background of current conditions AFRC would like to see a realistic accounting of the wildfire risk and further insect and disease mortality described in the no-action alternative.

While impacts from the No Action Alternative are mentioned in the Draft EA, we don't believe they fully address the significant impacts the project area could be subjected to. For instance:

- *However, in many cases, no action may carry greater risks from effects of abnormally severe fires (Agee and Skinner 2005). When looking at how wildfires burn through treated areas, treatments are judged successful when desirable changes are made to fire behavior post-treatment. These positive effects can be expected to be more frequent as the portion of the landscape that has been treated increases (Reinhardt et al.2008)*
- *In the event of a wildfire, post-treatment resultant stand conditions from the proposed action show that the level of PM2.5 and PM10 emissions in lbs./acre are less than what is displayed from a severe wildfire event under no action.*
- *The no action alternative would not alter vegetation and would not change roads or access in the project area. Therefore, there would be no immediate direct or indirect effects to elk habitat, security, or winter range. Over time forest vegetation would continue to increase throughout the project area, which would continue to decrease forage quality. The risk of high severity wildfire in the lower elevations (i.e., winter range) would continue to increase.*

AFRC believes the Forest should have produced a more comprehensive and realistic description of the impacts of a large-scale wildfire. The relatively minor impacts outlined don't accurately describe the possible devastation that might occur to the many resources in the project area.

AFRC supports the proposed harvest methods outlined in the Draft EA. These include skyline, tethered or ground-based systems based on site-specific conditions. Log haul dust abatement and other requirements would be met in accordance with the road maintenance agreement with Granite and Missoula Counties. Road segments may need to be temporarily closed to the public during haul. As the District notes, *"Tethered logging systems utilize cable winch systems on harvesters, feller bunchers, forwarders, loaders, and skidders to stabilize and assist equipment operations on steep slopes. The cable system allows the equipment to operate on slopes that would normally be considered unsafe for equipment or damaging to soil. The use of tethered assistance enables enhanced equipment stability on steep or adverse soil conditions, while also enhancing traction on more gentle grades."*

AFRC always likes to remind the Forest Service that there are many ways to design a timber sale that allows a purchaser the ability to deliver logs to their mill in an efficient manner while also adhering to the necessary practices that are designed to protect the environmental resources present on Forest Service forestland. This is especially true with the Tyler's Kitchen Superior North Project. The primary issues affecting the ability of our members to feasibly deliver logs to their mills are firm operating restrictions. As stated above, we understand that the Forest Service must take necessary precautions to protect their resources; however, we believe that in many

cases there are conditions that exist on the ground that are not in step with many of the restrictions described in Forest Service EA's and contracts (i.e. dry conditions during wet season, wet conditions during dry season).

We would like the Forest Service to shift their methods for protecting resources from that of firm prescriptive restrictions to one that focuses on descriptive end results; in other words, describe what you would like the end result to be rather than prescribing how to get there. There are a variety of operators that work in the Lolo National Forest market area with a variety of skills and equipment. Developing an EA contract that firmly prescribes how any given unit shall be logged may inherently limit the abilities of certain operators. For example, restricting certain types of ground-based equipment rather than describing what condition the soils should be at the end of the contract period unnecessarily limits the ability of certain operators to complete a sale in an appropriate manner with the proper and cautious use of their equipment. To address this issue, we would like to see flexibility in the EA contract to allow a variety of equipment to the sale areas. We feel that there are several ways to properly harvest any piece of ground, and certain restrictive language can limit some potential operators. Though some of the proposal area may be planned for cable harvest, there may be opportunities to use certain ground equipment such as fellerbunchers and processors in the units to make cable yarding more efficient. While we appreciate the language mentioning ground skidding flexibility, we would like the Forest to allow ground-based equipment to operate on slopes up to 45%. Allowing the use of processors and fellerbunchers throughout these units can increase its economic viability, and in some cases decrease disturbance by decreasing the amount of cable corridors, reduce damage to the residual stand and provide a more even distribution of woody debris following harvest. Tethered-assist equipment is also becoming a more viable, safe, and available option for felling and yarding on steep slopes. This equipment has been shown to contribute to little additional ground disturbance when compared to traditional cable systems.

Finally, AFRC would like the Forest to examine the days that operations and haul are shut down due to hunting seasons and other outdoor recreation. The logging community has limited operating time at best, and further reductions such as these only makes surviving in the logging business that much more difficult.

As mentioned above, AFRC supports conducting commercial work in the Silver King Inventoried Roadless Area. Proposed treatments are listed in the chart below:

Table 17: Proposed vegetation management activities in the Silver King IRA

Project Unit	Proposed Treatment	Acres in IRA	IRA Exception
98, 99, 112	Regeneration Cut (Pine Beetle dead/dying Lodgepole)	97	(Substantially Altered) 36 CFR 294.13(b)(4)
58, 59, 77, 87A, 88, 89, 97	Intermediate Cut (Douglas fir Beetle, overstocking, reduce competition, increase fire resistant species stand composition)	147	(Ecosystem Composition) 36 CFR 294.13(b)(1)(ii)
503, 516, 518, 519, 524, 525, 526, 527, 528, 529	Underburn (Restore natural fire regime)	1970	(Incidental Cutting) 36 CFR 294.13(b)(2)
609, 614, 920, 937, 938, 939	Non-commercial treatments (Acquired Land Treatment and Small Tree Thinning) (Douglas fir Beetle, overstocking, reduce competition, increase fire resistant species stand composition)	132	(Ecosystem Composition) 36 CFR 294.13(b)(1)(ii)

The stands in the IRA need forest health and fuels reduction treatments as much as the stands outside of the IRA. This work can be conducted with no new road construction, only using existing roads and then decommissioning several miles of road. Also pointed out in the Draft EA is that *“Wildfires that originate in the IRA could prove difficult to access and contain when they are small. Many areas within the roadless area have dead and down trees that obstruct firefighter access and egress. Vegetation growth coupled with fire exclusion and insect activity has led to a buildup of continuous fuels. This fuel continuity provides conditions for wildfires to grow and spread over a long distance and burn for a long duration.”*

Recently, the Ninth Circuit upheld the Forest Service’s use of the “generally small diameter” timber exception for the removal of trees up to 21 inches diameter-at-breast height (dbh). *Los Padres ForestWatch v. United States Forest Serv.*, No. 23-55054, 2024 WL 885130, at *1 (9th Cir. Mar. 1, 2024). In that case, the Plaintiff-Appellant challenged the Forest Service’s Tecuya Ridge Project on the Los Padres National Forest, where the agency determined that trees up to 21 inches dbh constitute “generally small diameter timber” because the dominant species in the project area, Jeffrey Pine, has a growth potential of 60–90 inches dbh. *Id.* Instead of relying on the average tree diameter for the stand, the Forest Service determined that growth potential approach was a better benchmark for tree size. *Id.* The Ninth Circuit determined that the Forest Service had adequately explained its rationale for what constitutes “generally small diameter timber” and upheld the project.

We urge the Lolo to consider this court decision and the approach taken by the Los Padres National Forest when analyzing commercial treatments in the Silver King IRA.

Overall, the Project has a robust Road Management Plan which includes:

Table 2. Summary of road management activities

Road Management Activities	Approximate Miles ¹
Add Existing Non-System Roads to NFS: Yearlong Closure (Administrative Access Only)	94
Add Existing Non-System Roads to NFS: Seasonally Open	3
Non-System Roads Added to National Forest System Total	97
Decommission National Forest System Road	4
Administratively Decommission Non-System Road	33
Physically Decommission Non-System Road	26
Decommission Total	63
Road Maintenance	90
New Temporary Road Construction ²	14.2
Road Management Grand Total	264

While we support the overall road work needed to manage your road system and protect resources at risk, we ask that you consider that a significant factor contributing to increased fire activity in the region is the decreasing road access to our federal lands. This is especially true when considering the proposed 63 miles of road decommissioning. This factor is often overshadowed by both climate change and fuels accumulation when the topic of wildfire is discussed in public forums. However, we believe that a deteriorating road infrastructure has also significantly contributed to recent spikes in wildfires. This deterioration has been a result of both reduced funding for road maintenance and the federal agency’s subsequent direction to

reduce their overall road networks to align with this reduced funding. The outcome is a forested landscape that is increasingly inaccessible to fire suppression agencies due to road decommissioning and/or road abandonment. This inaccessibility complicates and delays the ability of firefighters to attack nascent fires quickly and directly. On the other hand, an intact and well-maintained road system would facilitate a scenario where firefighters can rapidly access fires and initiate direct attack in a more safe and effective manner.

If the Forest proposes to decommission, abandon, or obliterate road segments from the Tyler's Kitchen Project area we would like to see the analysis consider potential adverse impacts to fire suppression efforts due to the reduced access caused by the reduction in the road network. We believe that this road network reduction would decrease access to wildland areas and hamper opportunities for firefighters to quickly respond and suppress fires. On the other hand, additional and improved roads will enable fire fighters quicker and safer access to suppress any fires that are ignited.

We would like the Forest to carefully consider the following three factors when deciding to decommission any road in the project area:

- Determination of any potential resource risk related to a road segment.
- Determination of the access value provided by a road segment.
- Determination of whether the resource risk outweighs the access value (for timber management and other resource needs).

We believe that only those road segments where resource risk outweighs access value should be considered for decommissioning.

Finally, we are including links to three studies by Brian Sugden relating to road maintenance and sedimentation, BMPs in Montana, and streamside management and impacts to water temperature that we believe can help inform the analysis related to aquatic resources.

<https://www.tandfonline.com/doi/abs/10.1080/14942119.2019.1571472?scroll=top&needAccess=true&journalCode=tife20>

<https://academic.oup.com/jof/article/110/6/328/4599544>
<https://www.tandfonline.com/doi/full/10.1080/14942119.2019.1571472?scroll=top&needAccess=true&>

AFRC supports the Forest asking the Region for approval to create openings larger than 40 acres. Regeneration treatments include shelterwoods, seedtree, and silvicultural clearcuts. Openings would have a variety of residual tree densities based on the quality of existing stands. Regeneration harvests were selected as the best treatment for each unit at the stand-level to meet Forest and project objectives based on existing conditions. Regeneration treatments at various patch sizes restore young forests to the landscape and create landscape diversity that would have existed historically. These treatments are needed to reestablish fire resistant species such as western larch and ponderosa pine.

AFRC feels the economic analysis has flaws in some assumptions. While we agree that the project is not economically feasible as currently planned, the Forest could make it much more financially feasible if more timber volume was added, particularly ground based harvesting. Further, AFRC believes that the predicted negative stumpage bids are not realistic, and more dollars will be brought in from stumpage.

Table 14: Project feasibility and financial efficiency summary (2023 dollars)

Category	Measure	Proposed Action
Timber Harvest Information Measure	Acres Harvested	3,726
Timber Harvest Information Measure	Sawtimber Volume Harvested (CCF)	43,330
Timber Harvest Information Measure	Base Rates (\$/CCF)	15.23
Timber Harvest Information Measure	Appraised Stumpage Rate (\$/CCF)	-25.60
Timber Harvest Information Measure	Predicted High Bid (\$/CCF)	-5.51
Timber Harvest Information Measure	Total Revenue (Thousands \$)	-1,109
Category	Measure	Proposed Action
Timber Harvest & Required Design Features	Present Net Value (Thousands \$)	(-1,751)
*Timber Harvest & All Other Planned Non-timber Activities	Present Net Value (Thousands \$)	(-4,464)

Thank you for the opportunity to provide Draft EA comments on the Tyler's Kitchen Project, and I look forward to following the Project through implementation.

Sincerely,



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