To:

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Attn: Objections

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Via Email: objections-pnw-colville@usda.gov

Cc:

Carin Vadala, District Ranger

Newport–Sullivan Lake Ranger District

Colville National Forest

Objection to the Swxuytn/Trail Environmental Assessment and New Decision Notice/FONSI

Colville National Forest, Newport–Sullivan Lake Ranger District, Washington State

Date: December 17, 2025

Lead Objector: Paul Sieracki, Inland Empire Task Force, Priest River, Idaho

and from

W. Thomas Soeldner, Upper Columbia River Basin Sierra Club, Spokane, Washington

Mike Garrity, Alliance for the Wild Rockies, Helena, Montana

Reference to the new DN/FONSI is called Trail 2

New Objection Topics Based on New Information or Changed Circumstances

Pursuant to 36 C.F.R. § 218.8, objection issues must generally be based on timely, specific written comments submitted during the designated public comment opportunities; however, the rule expressly permits introduction of issues that arise from new information or changed circumstances that were not reasonably foreseeable during the original comment period. The revised Decision Notice/FONSI for the Trail Project (Trail 2) materially reassigns and adds logging units compared to the prior DN that was withdrawn by Court order, and those material changes constitute new information and changed circumstances for purposes of the objection process. The last decision was invalidated for lack of specificity, and that “now that USFS has been more specific,” it has highlighted the flaws in their decision and EA. Accordingly, the following topics are presented as new objection issues that were not and could not reasonably have been raised during the earlier comment period because they arise

directly from the revised unit assignments, updated GIS data, and potentially significant contract provisions from the intent to re-issue the Mystic-Witch Timber Sale that impact the explicity of the new logging unit maps (Reference: 36 C.F.R. § 218.8 (Filing an objection)). The EA now lacks quantitative consistency with the actual logging unit boundary areas.

These material changes, compelled by the court's directive to delineate explicit unit boundaries, underscore that the revised logging units were introduced without any subsequent public comment period, thereby creating a procedural deficiency that must be recognized as a new objection issue.

The revised Decision Notice/FONSI (referred to as Trail 2) introduces logging units that were not subject to any public comment opportunity following the court's order requiring explicit mapping of unit boundaries. This omission is procedurally significant because *"Prior to issuing a final directive subject to this part, the Forest Service shall: (1) Provide notice to the public of a proposed directive or interim directive and provide an opportunity to submit comments during a comment period of not less than 30 days in accordance with the requirements of this section; and, (2) Review, consider and respond to timely comments received"* (36 C.F.R. § 216.3, Notice and an opportunity for public comment). By failing to provide a renewed comment period after materially altering the unit boundaries, the agency deprived stakeholders of their statutory right to field review and respond to the revised project scope. This procedural deficiency constitutes a changed circumstance under 36 C.F.R. § 218.8, as the public could not reasonably have anticipated or addressed the impacts of the newly defined units during the original comment period. The absence of a comment opportunity following the judicial directive undermines both the transparency and defensibility of the decision-making process, warranting recognition as a new objection issue. (Reference: 36 C.F.R. § 216.3).

Reference to Comments: This falls under the new information category as there was no comment period offered for the explicit unit mapping order.

Relief Requested

In light of the foregoing procedural deficiencies, Objectors respectfully request that the Reviewing Officer sustain this objection issue and direct the Responsible Official to remedy the lack of public participation. Specifically, Objector seeks the following relief:

- **Vacatur of the Revised Decision Notice/FONSI** insofar as it introduces logging units and LOS delineations that were not subject to public comment following the court's order requiring explicit boundary delineation.
- **Reinitiation of the public comment process** pursuant to 36 C.F.R. § 216.3, which mandates that *"Prior to issuing a final directive subject to this part, the Forest Service shall: (1) Provide notice to the public of a proposed directive or interim directive and provide an opportunity to submit comments during a comment period of not less than 30 days in accordance with the requirements of this section; and, (2) Review, consider and respond to timely comments received"* (36 C.F.R. § 216.3).
- **Suspension of implementation of the newly defined logging units** as timber sales until such time as the public has been afforded a meaningful opportunity to review, comment, and

participate in the decision-making process consistent with the requirements of 36 C.F.R. §§ 216.3 and 218.8.

- **The multiple significant impacts from the Trail 2 DN/FONSI require an EIS.**

This relief is necessary to restore transparency, ensure compliance with statutory and regulatory mandates, and safeguard the integrity and defensibility of the agency's decision-making process.

Objection Issue: Mystic Witch Contract – Post-Decision Flexibility and Arbitrary Reliance on Contractual Discretion

Although the Forest Service has now provided maps of proposed logging units, the revised Decision Notice/FONSI still allows the authorization allowing contractors to alter openings at their discretion after contract award. For example, the Colville National Forest withdrew the Mystic-Witch Timber Sale offering stating that the offering and contract will be reissued. The contractual framework, if not modified, allows clearcut ("openings") of up to 20 acres within existing logging units to be designated by the timber company without further NEPA review or public disclosure. The Colville National Forest is intending to re-issue this timber sale (Mystic-Witch DxP, p.144e). See the image at the end of this issue showing an example of a proposed logging unit with discretionary 5 (gray) and 20 (brown) acre openings.

IMPLEMENTATION TABLE

Unit	Acres	Target Basal Area	Additional Information and Exceptions to Standard Cutting Guidelines - *STANDARD CUTTING GUIDLINES remain applicable with the exception of differences listed in this column.*
All		N/A	Created openings up to 20 acres in size are allowable providing suitable trees are retained as available. There shall be a minimum of 200 feet between created openings. Exceptions will be discussed with a silviculturist. Openings that will exceed 5 acres require approval from the Sale Administrator prior to harvesting. Retain all snags except those that recently died and can be removed according to contract specifications. Leave all available Suitable trees up to the target basal area. Target basal area does not apply to areas that do not have enough suitable leave trees to meet the target basal area; in these areas leave only the available Suitable trees.

Mystic-Witch DxP. p144e

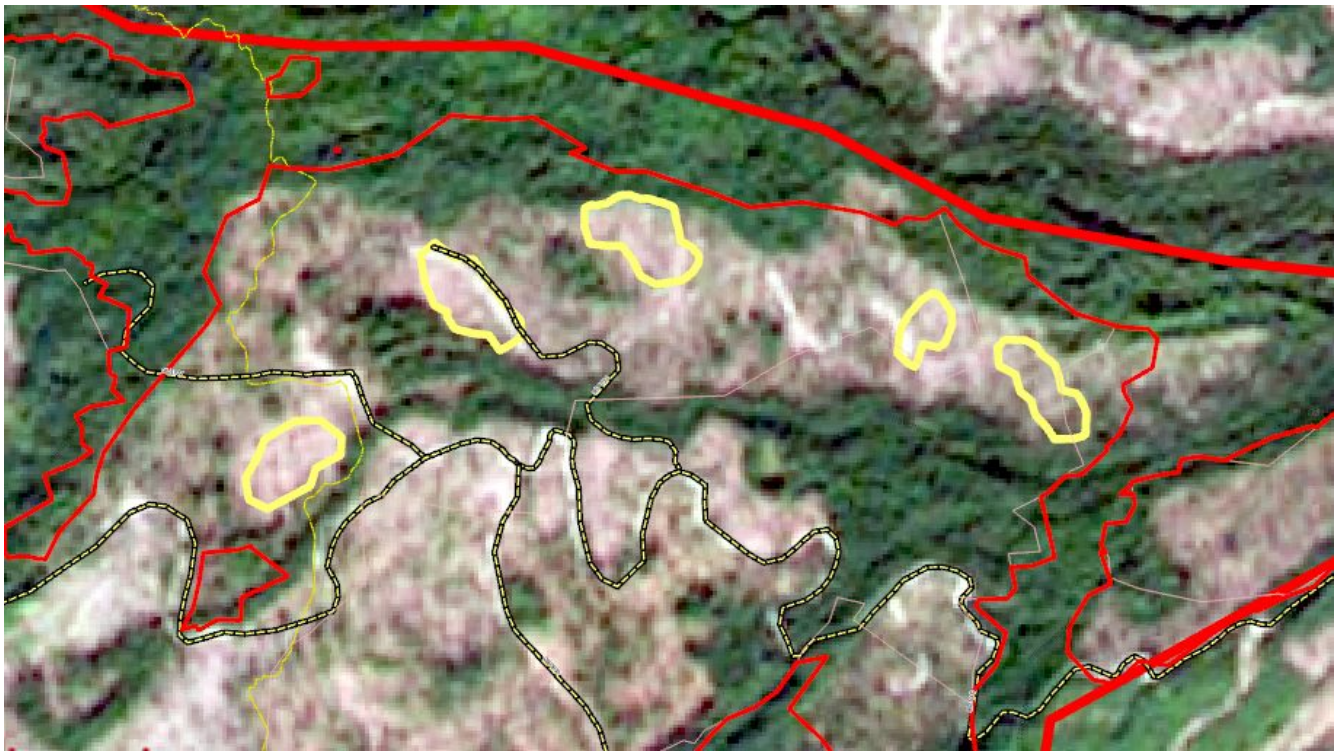
Out of 137 remaining unlogged units, there are 100 units that are 20 acres or larger. In theory, the CNF could allow after NEPA clearcuts of up to 20 acres or even more if they can fit another clearcut in the unit outside of a 200 ft buffer. This amounts to a "maximum effect" of 2000+ acres that would change the HRV calculations and effects to wildlife significantly. eg. Goshawk habitat components. (data source ProposedCommercialUnits_Rx_Update20251020, with already logged areas removed). This assessment does not consider placing smaller clearcut openings in logging units less than 20 acres.

NEPA requires agencies to take a “hard look” at actual environmental consequences before making a decision (*Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989)). Allowing contractors to determine clearcut locations post-decision shifts site-specific analysis outside of NEPA, depriving the public and decision-makers of the opportunity to evaluate actual impacts. In *Earth Island Institute v. U.S. Forest Service*, 47 F.4th 738 (9th Cir. 2023), the Ninth Circuit held that programmatic analysis must be supplemented with site-specific disclosure once project-level decisions are made. The Trail 2 DN/FONSI fails this standard by potentially deferring site-specific determinations to contractors.

The Trail Project Decision Notice further represents its cutting units as fixed, site-specific polygons whose acres, shapes, and impacts were fully analyzed in the EA. This representation is misleading. The Forest Service’s own contracting framework, illustrated plainly by the Mystic Witch DxP contract, demonstrates that the agency reserves and routinely exercises discretion to alter cutting unit boundaries after the NEPA process is complete. These post-decisional alterations are explicitly authorized by binding contract terms. Consequently, the published Decision does not, and cannot, disclose the actual on-the-ground footprint of the logging units it approves. This makes the Decision arbitrary, misleading, and unlawful under NEPA and the APA.

In addition to the 20 acre opening provision, these contractual provisions demonstrate Post-NEPA discretion:

1. Boundary Adjustments After NEPA Completion
   The Mystic Witch contract includes the following operative language:
   “Within Sale Area, minor adjustments may be made in boundaries of cutting units or in the timber individually Marked for cutting when acceptable to Purchaser and Forest Service.”



(Page ~115, 5.MysticWitchDxP_ProvisionsA_B_C).
The term “minor” is undefined. No numerical limits, spatial constraints, or environmental sideboards exist. Nothing links these “adjustments” to the unit shapes, acres, or environmental effects. The CNF has mapped openings in the Boulder Park EA, using a geofence to outline opening boundaries shown as yellow polygons above. If the CNF personnel actually did professional level field work, these openings could and should be identified and incorporated into the published maps and analysis for Trail 2.

2. In addition to the environmental effects disclosed in the EA. The agency therefore approves units with the DN that can be redrawn, relocated, enlarged, reduced, or reshaped or punch clearcut holes in during implementation without disclosing the effects of these changes. This is the very definition of a non-site-specific, post-decisional process that NEPA prohibits.
3. Boundary Changes to Meet Volume Targets
The contract further states:
“Forest Service… shall make an adjustment in Marking or cutting unit boundaries… to bring the estimated volume within allowable variation.” (Pages ~115–116, 5.MysticWitchDxP_ProvisionsA_B_C).
This clause mandates that cutting unit boundaries may be moved whenever field conditions do not produce the originally estimated volumes. In other words, whenever stand conditions differ even modestly from assumptions used in the NEPA analysis, the agency is authorized to physically enlarge units to hit a target volume. NEPA does not allow the agency to internally adjust the logging footprint simply to meet sale volumes after the public process and environmental review have closed.
4. “Approximate” Sample Areas Demonstrate Maps Are Not Final
The DxP marking system further undermines the agency’s claim that unit boundaries are fixed at the NEPA stage. The Mystic Witch contract acknowledges:
“The approximate locations of the representative sample areas are shown on the Sale Area Map.” (Pages ~115–116, 5.MysticWitchDxP_ProvisionsA_B_C).
DxP marking depends on field-verified stand conditions and sample area data. When those sample areas are “approximate,” the resultant marking—and therefore the functional boundaries of the unit and environmental effects—shift on the ground. Thus, both the mapping and the operational layout are fluid while the EA and DN present them as fixed.

The Forest Service cannot legally represent cutting units as fixed, site-specific polygons in the NEPA record while simultaneously relying on contracts that allow—and in some cases require—post-decisional changes to and significant alterations to cutting unit boundaries. This is a textbook example of the agency:

- Segmenting implementation from analysis,
- Deferring site-specific decisions until after NEPA,
- Withholding the true on-ground footprint from public review, and
- Delegating key spatial decisions to a purchaser outside any environmental review.

The agency's practice results in a Decision that does not reflect what will actually occur on the landscape. Unit size, acreage, shape, and boundaries are left to an undefined, discretionary, after-the-fact process between the Forest Service, Washington State DNR and the contractor.

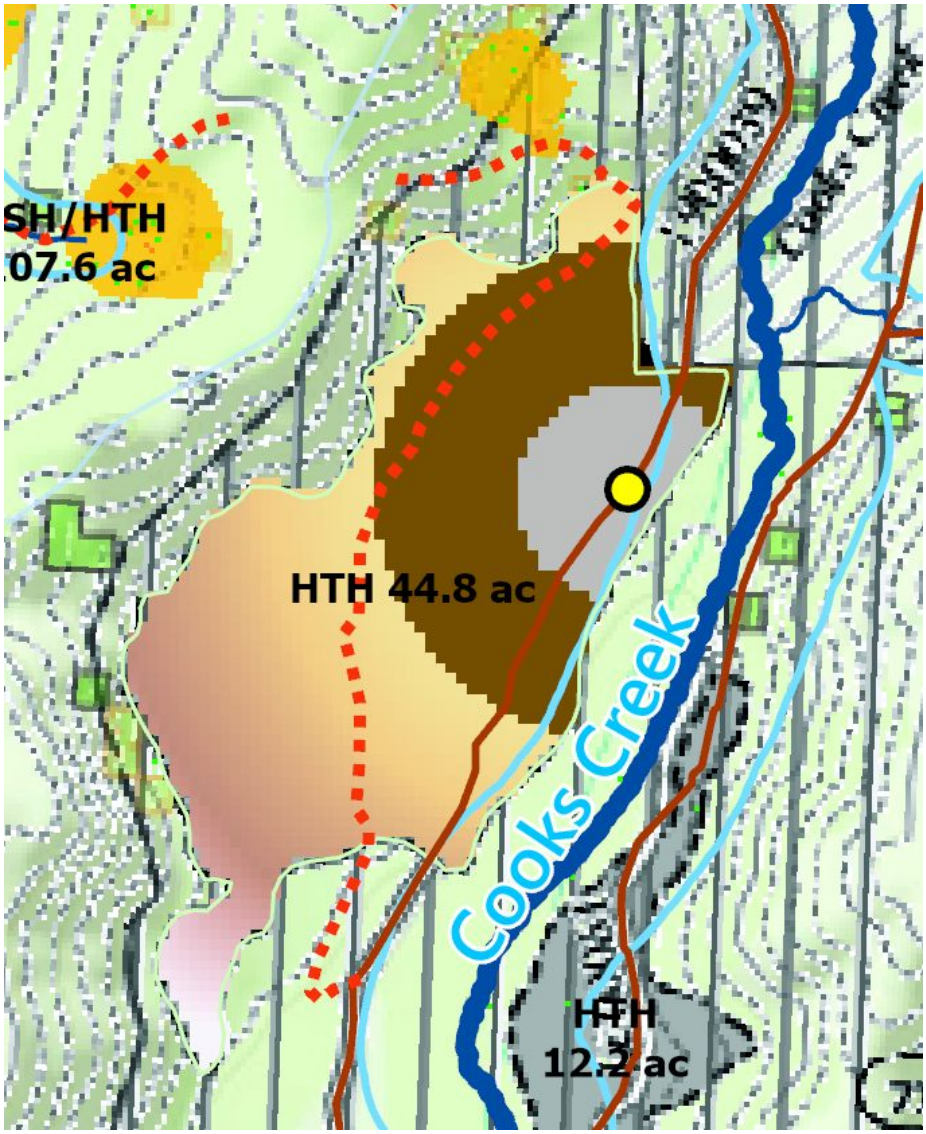
Reference to Comments: This falls under the new information category as there was no comment period offered for the explicit unit mapping order.

Relief Requested

Objector respectfully requests that the Reviewing Officer sustain this objection issue and direct the Responsible Official to remedy the unlawful delegation of site-specific determinations to contractors and the arbitrary reliance on post-NEPA contractual discretion. Specifically, Objector seeks the following relief:

- **Vacatur of the Revised Decision Notice/FONSI** insofar as it authorizes contractors to alter openings or cutting unit boundaries post-decision without NEPA review or public disclosure as exemplified in the CNF's stating that the Mystic-Witch Sale will be re-issued.
- **Preparation of a full Environmental Impact Statement (EIS)** that evaluates the environmental consequences of all proposed clearcut openings and cutting unit boundary adjustments. The scale of discretion afforded to contractors and the agency's reliance on undefined "minor adjustments" and volume-driven boundary changes, constitute significant impacts requiring EIS-level analysis rather than reliance on a Finding of No Significant Impact (FONSI).
- **Disclosure of site-specific impacts in the EIS** consistent with NEPA's "hard look" requirement (*Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989)) and Ninth Circuit precedent (*Earth Island Institute v. U.S. Forest Service*, 47 F.4th 738 (9th Cir. 2023)), which requires programmatic analysis to be supplemented with site-specific disclosure once project-level decisions are made.
- **Re-issuance of the Mystic-Witch Timber Sale (and additional sale) offerings** only after completion of the EIS and full public review and comment on the contract contents, and the actual, fixed boundaries of all cutting units.
- **Use Geofences to Delineate Clearcut Openings.** The CNF used geofencing in the Boulder Park EA to delinate clearcut openings. Shown above is Unit 97 Boulder Park EA with yellow geofenced polygons. As the CNF has shown it can actually go into the field and locate clearcut openings, the use of geofences can and should be implemented for all sales in the the Trail_2 DN/FONSI and the requested EIS.
- **Suspension of contract issuance and implementation** until the EIS process is complete, thereby restoring transparency, ensuring lawful decision-making, and safeguarding the public's right to informed participation.

This relief is necessary to prevent the improper outsourcing of NEPA's "hard look" obligation to private contractors, to correct the agency's arbitrary reliance on post-NEPA contractual discretion, and to ensure that the decision is legally defensible under NEPA and the APA.



Mystic-Witch Unit with 5 and 20 arce patches shown as gray and brown respectively, radiating from the yellow point. These are not circles clipped to the cutting unit boundaries but approximate the area in the unit itself.

Objection Issue: "Less Than Maximum Effects" Is Not a Legally Adequate NEPA Standard

The Trail Project EA and DN/FONSI attempt to justify logging impacts by asserting that the effects will be "less than the maximum possible" footprint or disturbance. This framing is arbitrary and

unlawful under NEPA because it substitutes a hypothetical ceiling for the required disclosure of actual, site-specific consequences. NEPA requires agencies to take a "hard look" at the real environmental impacts of the proposed action, not to rely on abstract comparisons to theoretical maximums.

NEPA's Hard Look Standard
The Supreme Court has held that "NEPA requires that agencies take a 'hard look' at the environmental consequences before making decisions" (Robertson v. Methow Valley Citizens Council, 490 U.S. 332, 350 (1989)). A "less than maximum" rationale does not disclose actual impacts—it merely asserts that they could be worse. This fails the hard look requirement because it does not analyze the specific footprint, location, or ecological consequences of the logging units.

Arbitrary Reliance on Hypotheticals
By framing impacts as "less than maximum," the agency admits that unit boundaries, acreages, and clearcut sizes are fluid. This is the same defect identified in Earth Island Institute v. U.S. Forest Service, 47 F.4th 738 (9th Cir. 2023), where the Ninth Circuit held that programmatic analysis must be supplemented with site-specific disclosure once project-level decisions are made. A "less than maximum" argument is programmatic in nature—it avoids disclosure of the actual site-specific environmental effects.

APA Violation: Misleading Record
The Administrative Procedure Act prohibits agency decisions that are arbitrary, capricious, or not in accordance with law (5 U.S.C. § 706(2)(A)). Representing impacts as "less than maximum" is misleading because it suggests that the agency has bounded the effects, when in fact the contract terms allow post-decisional enlargement or relocation of units. The record therefore does not disclose the true scope of impacts, rendering the decision arbitrary.

Failure to Inform Public Participation
NEPA's twin aims are informed agency decision-making and public participation (Baltimore Gas & Elec. Co. v. NRDC, 462 U.S. 87, 97 (1983)). A "less than maximum" rationale deprives the public of meaningful information about what will actually occur on the ground. Stakeholders cannot comment on hypothetical ceilings; they require disclosure of actual unit boundaries, acreages, and clearcut locations.

The "less than maximum effects" argument is legally insufficient because:

- It substitutes hypothetical ceilings for actual disclosure.
- It fails NEPA's hard look requirement.
- It perpetuates the same defect condemned in *Earth Island Institute*—deferring site-specific disclosure until after NEPA.
- It misleads the public and decision-makers by presenting impacts as bounded when they are not.

Relief Requested

Objector respectfully requests that the Reviewing Officer sustain this objection issue and direct the Responsible Official to:

- **Vacate the DN/FONSI** insofar as it relies on "less than maximum effects" as a justification.

- **Prepare a full Environmental Impact Statement (EIS)** that discloses the actual, site-specific impacts of each logging unit, rather than hypothetical ceilings.
- **Suspend contract issuance and implementation** until the EIS is complete and the public has had an opportunity to review and comment on the actual footprint of the project and sale contract specifications.

This relief is necessary to restore compliance with NEPA's hard look requirement, ensure transparency, and prevent arbitrary reliance on hypothetical maximums that obscure the true environmental consequences of the project.

Objection Issue: "Less Than Maximum Effects" Argument Fails to Disclose Quantitative Wildlife Security Impacts

The Trail Project EA and DN/FONSI attempt to justify logging impacts by asserting that effects will be "less than the maximum possible." This rationale is arbitrary and unlawful under NEPA because it substitutes a hypothetical ceiling for the required disclosure of actual, site-specific consequences. The defect is particularly acute in the context of wildlife security habitat, where quantitative mapping and acreage analysis are essential to evaluate impacts.

Failure to Disclose Quantitative Security Habitat
The EA does not provide quantitative data on the extent of grizzly bear or ungulate security habitat affected by each timber sale unit. NEPA requires disclosure of the actual area to be logged and roaded and its environmental consequences, not a generalized assurance that impacts are "less than maximum." Without maps, gis data and acreages of security habitat, by timber sale and cumulatively across the entire project area, the public cannot evaluate whether critical wildlife areas are being fragmented or eliminated.

Security Habitat Analysis Is Required
The Forest Service's own wildlife security guidelines (e.g., Interior Columbia Basin Strategy and regional forest plan standards) require identification of secure habitat blocks, typically defined as areas at least 500 acres in size, more than 500 meters from open roads for grizzly bear, and providing cover for big game species. These quantitative metrics are not disclosed in the Trail EA. Instead, the agency relies on "less than maximum" language, which obscures the actual loss, spatial arrangement and or changes of secure habitat by timber sale and year.

Case Law Requires Site-Specific Disclosure
In Earth Island Institute v. U.S. Forest Service, 47 F.4th 738 (9th Cir. 2023), the Ninth Circuit held that programmatic analysis must be supplemented with site-specific disclosure once project-level decisions are made. Wildlife security habitat is a quintessential site-specific resource: its integrity depends on actual unit boundaries, road locations, and cover conditions. A "less than maximum" rationale fails to meet this standard.

APA Violation: Misleading Record
By asserting that impacts are "less than maximum," the agency misleads the public into believing that wildlife security habitat has been adequately considered. In reality, the absence of quantitative maps

and acreage data means the decision record does not disclose the true scope of security habitat fragmentation, rendering the decision arbitrary under 5 U.S.C. § 706(2)(A).

The “less than maximum effects” argument is legally insufficient because:

- It substitutes hypothetical ceilings for actual disclosure of wildlife security habitat.
- It fails NEPA’s hard look requirement by omitting quantitative acreage and mapping of secure habitat.
- It perpetuates the same defect condemned in Earth Island Institute—deferring site-specific disclosure until after NEPA.
- It misleads the public and decision-makers by presenting impacts as bounded when they are not. It does not include the changes in wildlife security or seclusion habitat by timber sale, and just addresses areas that are secure after the 20 year time frame of the multiple sales.

Furthermore, the Trail 2 DN/FONSI fails to account for illegal road use for seclusion habitat calculations such that was documented during a forest watch session by Paul Sieracki in the Mystic-Witch sale area (see email to Ranger Vadala titled “MysticWitchFieldTrip08.31.2025”. It is not clear if the reported road breaches in the Cooks Lake vicinity have been repaired or is illegal use still being allowed as Ranger Vadala stated that after 5 years after a timber sale, road closures will not be monitored (see email from Vadala dated 10.7.2025) in the attached references. See photo of one of the breaches by dirt bikes. In addition, during a field trip to assess the status of several Mill Creek Timber Sale Units on 9.25.2025, Paul Sieracki found there were 4 gates open on the access road to the units that were supposed to be closed.

Every tank trap has been breached.

Relief Requested

Objector respectfully requests that the Reviewing Officer sustain this objection issue and direct the Responsible Official to remedy the unlawful reliance on “less than maximum effects” as a substitute for actual disclosure of wildlife security impacts. Specifically, Objector seeks the following relief:

- **Vacatur of the DN/FONSI** insofar as it relies on “less than maximum effects” to justify impacts to wildlife security habitat.

- **Preparation of a full Environmental Impact Statement (EIS)** that discloses quantitative acreages and GIS-based maps of secure habitat by timber sale unit. Secure habitat must be defined and mapped according to established Forest Service criteria (e.g., ≥500 acres in size, >500 meters from open roads, providing cover for big game species).
- **Unit-specific disclosure of habitat fragmentation** showing the actual overlap between logging units, road construction, and secure habitat blocks. This disclosure must include spatial maps and tabular acreages for each timber sale unit.
- **Suspension of contract issuance and implementation** until the EIS is complete and the public has had an opportunity to review and comment on the actual footprint of secure habitat loss and contract specifications.
- **Compliance with NEPA's hard look requirement** (*Robertson v. Methow Valley Citizens Council*, 490 U.S. 332 (1989)) and Ninth Circuit precedent (*Earth Island Institute v. U.S. Forest Service*, 47 F.4th 738 (9th Cir. 2023)), which require site-specific disclosure of environmental consequences once project-level decisions are made.
- **Immediate identification and repair of all road closure breaches** in the project area before proceeding and disclosing this information to the public.
- **Designation of timber sales during the EIS process disclosing changing effects on security habitat by sale and year for the project area**. This is being done in the Slate EA for grizzly bear metrics and should be included in the new EIS.

This relief is necessary to ensure that the agency discloses the true extent of wildlife security habitat fragmentation, rather than obscuring impacts behind hypothetical ceilings. Only a full EIS with quantitative maps and acreages can provide the transparency and defensibility required under NEPA.

Objection Issue: Public Participation Deficiency

By allowing contractors to alter openings after the NEPA process, the Forest Service deprives the public of meaningful participation:

- NEPA's procedural mandate requires disclosure of actual impacts to enable informed public comment (Patagonia Area Resource Alliance v. U.S. Forest Service, D. Ariz. 2025).
- The objection regulations (36 C.F.R. § 218.8) recognize that new information or changes create new objection issues. Here, the revised DN/FONSI introduces mapped units but simultaneously authorizes undisclosed changes, effectively insulating those changes from public review.

Dirt bikers illegally using closed roads, Mystic-Witch Sale, currently

Requested Remedy

1. Remand the Trail 2 DN/FONSI for additional NEPA analysis that prohibits post-decision contractor discretion in locating clearcuts.
2. Require explicit disclosure of all logging units and openings, including those authorized under the Mystic-Witch Timber Sale.
3. Reopen the public comment period to allow meaningful participation on the revised proposal.

Objection: EA is logging LOS and possibly Old Growth as defined by Greene 1991.

Old Growth not identified

The updated HRV tables (Errata) included with this Decision Notice show that after reviewing conditions on the ground and using decision points described in the EA to determine recommended treatments, the actual acreage of treatments to be implemented is approximately 8,500 acres for commercial and 4,500 acres of noncommercial. In the context of the Colville National Forest, FONSI and DN.

These totals are wrong as timber sale contract specs allow the creation of many additional openings from 5-20 acres. This would cumulatively change HRV calculations after NEPA.

On August 31, 2025, I visited several units in the Mystic Witch Timber sale near Cooks Lake, part of the Trail EA. It seems that at least 1 unit (39 and maybe the adjacent edge of unit 52) is in LOS or meets the older CNF definition of old growth. 8 trees per acre gt 21" dbh and 150 years old and could meet the IPNF moist site trees per acre definition of 10 old stems. The lidar tree height cutoff did not identify the area along the road as having old large diameter trees, because some trees, especially western redcedar just do not get that tall to be shown. (in MysticWitchFieldTrip08.31.2025). The old stump image shows a tree that was over 200 years old when cut in unit 39.

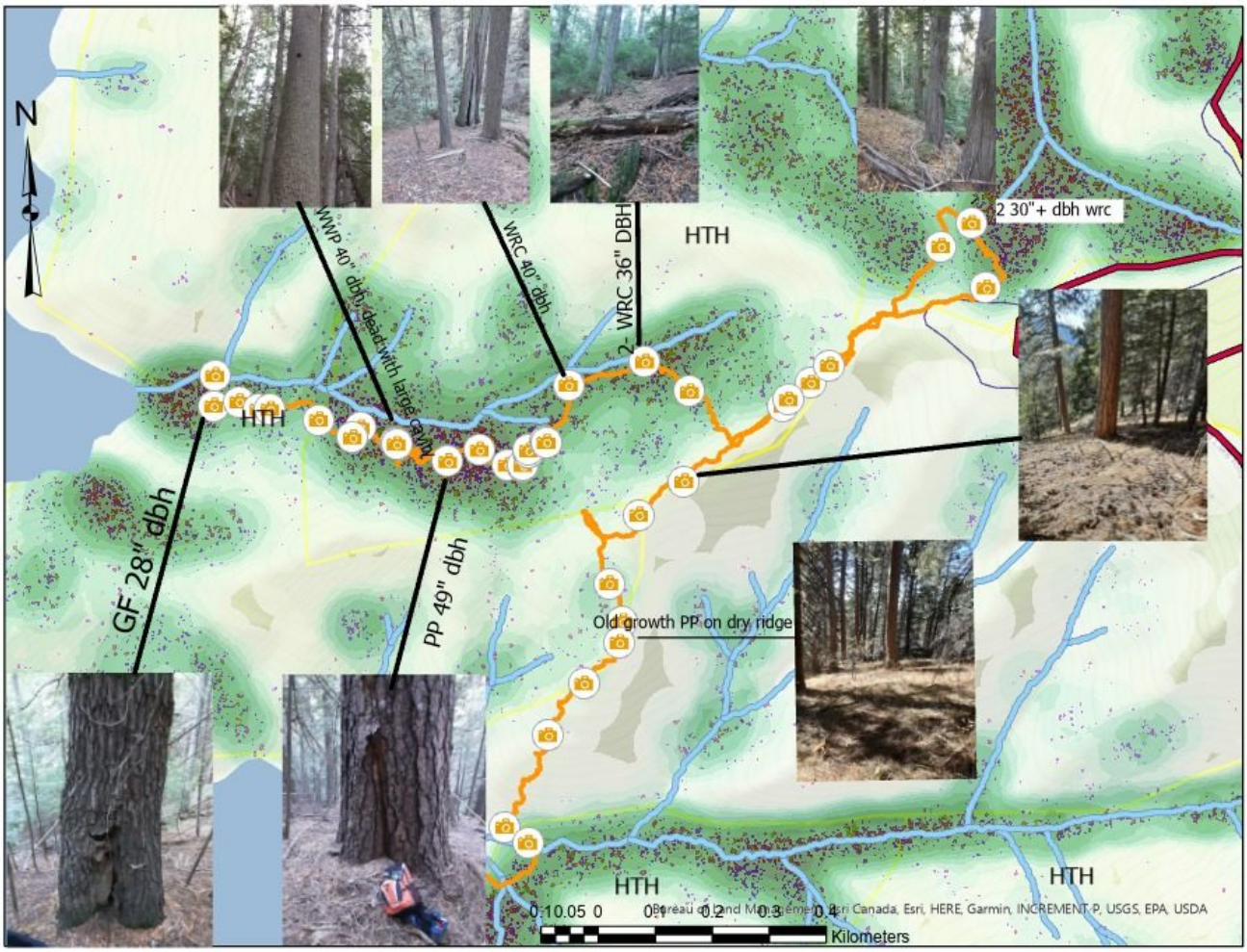
200 year old plus stump from unit 39 Mystic-Witch

Bead Lake – LOS/Old Growth grossly mismapped.

The USFS provided a map of their interpretation of LOS stand locations ("Late Old Structure"), missing out on some of the highest quality old growth stands that area obviously LOS by default on the east side of Bead Lake. Having mapped old growth professionally in the Selkirk Mountains for the US Forest Service and as a consultant, and in my MS thesis project, this is some of the worst mapping I have seen. This is typically done when the USFS wants to log old growth because these stands are dominated in places by high value western redcedar trees. I have provided the CNF with a map of old growth stands in the Bead Lake area (Comments for the Sxwuytn Trails Logging Project from Paul Sieracki, Alliance for the Wild Rockies and the Upper Columbia River Group – Sierra Club) that apparently have been ignored.

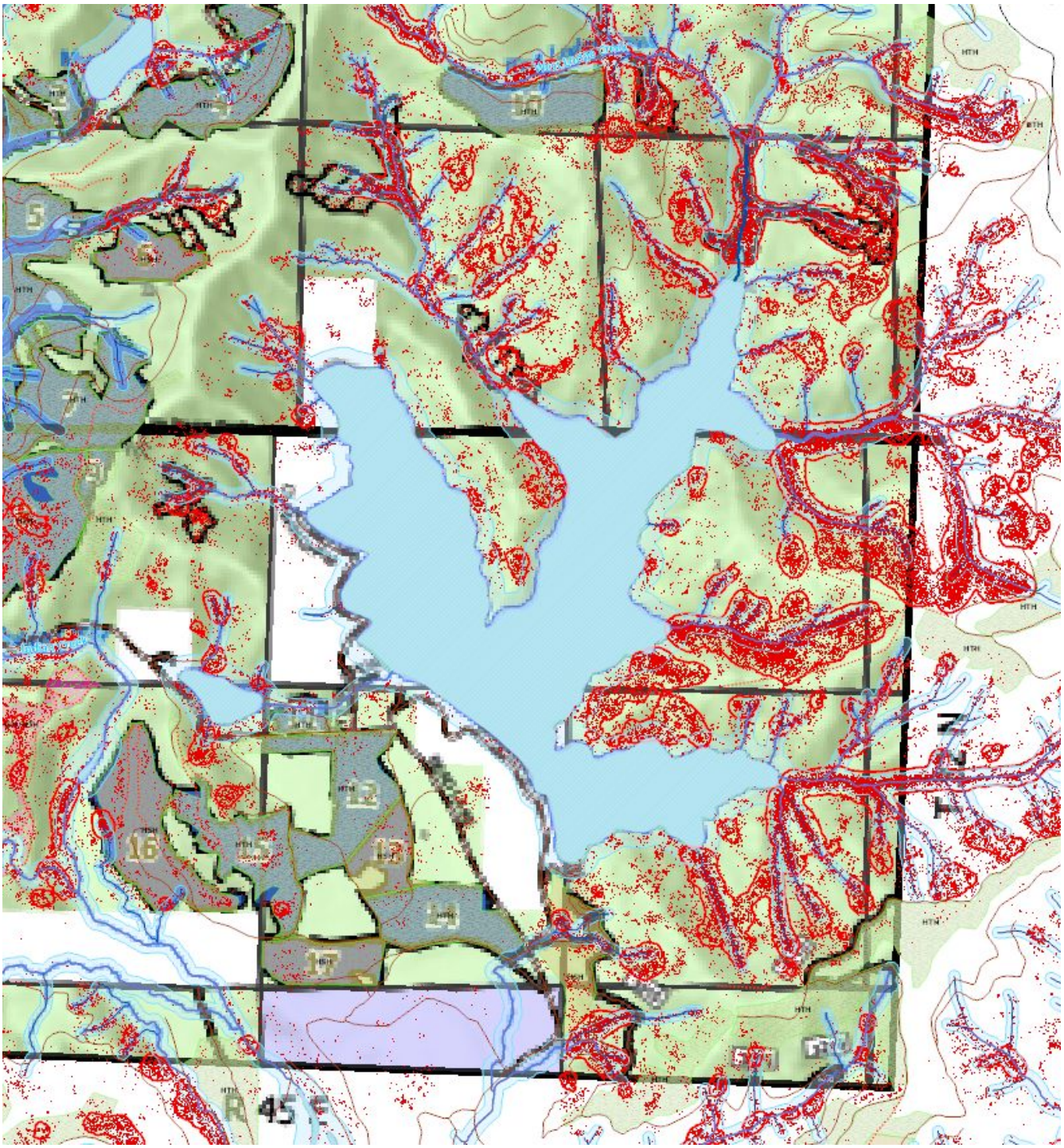
Below is an image of an old growth area along Bead Lake that was not identified as LOS. There are more areas like this.

Bead Lake old growth, April 22, 2021. Photo credit Paul



The image above shows a missed LOS and Old Growth stand in the Bead Lake Area. Identification by lidar and satellites is too inexact without field work. Field work by Paul Sieracki.

This next map overlays potential LOS and old growth stands over the Trail “deficient LOS” pdf map, their LOS designation shown as black hatching is incomplete and carelessly mapped. Red outlines show areas of tall trees some of which are old growth and therefore LOS as illustrated in the field verified old growth stand with photo points in the green areas at the top of the map above.



Red outlines indicate potential old growth and LOS stands that have been ignored by the Colville National Forest. Black hatched polygons are delineated by the Colville NF. This forest has been denying the existence and designation of old growth forests for years despite continual pressure from concerned publics.

Denial of Old Growth Based on DBH and Age Mischaracterization
The Draft Decision Notice (DN) for the 2025 Trail Project asserts that diameter at breast height (DBH) is "ineffective" for determining tree age, citing examples of western hemlock with 21" DBH at 63 years and 12" DBH at 156 years. From this, CNF concludes that old growth should not be identified by age or diameter, but instead included in "structural classes" defined by canopy closure and basal area.
This reasoning is defective. The cited examples demonstrate that small-diameter trees can be centuries old, and therefore DBH alone is insufficient — but this does not justify abandoning age as a criterion. Instead, it underscores the need for field-based age verification. By dismissing age and DBH outright, CNF sidesteps the obligation to disclose and analyze old growth conditions under NEPA. This sidestep undermines NEPA's "hard look" requirement and deprives the public of meaningful disclosure about old growth distribution and impacts.

Sidestepping Old Growth Identification (Greene 1991)
CNF's refusal to conduct field-based age assessments reflects a deliberate avoidance of established old-growth identification practices. Greene (1991) emphasized the importance of coring, site-specific growth analysis, and multi-indicator methods to identify old growth. CNF's reliance on structural proxies (diameter classes, canopy closure, quadratic mean) is a shortcut that avoids the field work necessary to produce a defensible inventory.

"It appears the agency wants to make the definition of old growth to be a simplistic numbers and database analysis game, devoid of biologically vital data gathered in the field which might document what is unique about old growth— not just a few large trees left over after logging, but decadence, rot, snags, down logs, patchy irregular canopy layers—things that can't be created by the agency's version of "restoration" and which would be depleted by such management actions." AWR et al Objection to Trail 1 DN/FONSI.

Disclose the natural historic range vs. current conditions regarding patch size, edge effect, and amount of interior forest old growth in the CNF.

Value of Small-Diameter Old Trees
Small-diameter old trees are unique features in the landscape. They often occur on harsh sites, microsites, or nutrient-poor soils, and can persist for centuries. These trees provide:
- Cavities and microhabitats for wildlife.
- Distinctive heartwood chemistry and decay processes.
- Cultural and spiritual significance for tribes and local communities.

And represent unique features in the Trail landscape. By excluding small-diameter old trees from "late structure" classes (≥20" DBH), CNF erases their ecological and cultural value, leaving them vulnerable to logging.

Lumping Mature and Old Growth (MOG) Enables Logging of Actual Old Growth
The EA and DN manage "mature and old growth" (MOG) as a single category. Where watersheds are deemed "above historic range of variability," CNF authorizes thinning and conversion of "secondary habitat" to meet HRV targets. This framework allows logging of actual old growth if it is counted within a "surplus" of MOG acreage.

This accounting device effectively treats old growth as expendable whenever mature forest acreage exceeds HRV thresholds. It is inconsistent with Forest Plan direction to maintain late-successional and old forest conditions, and it violates NEPA by failing to disclose direct impacts on old growth stands and decreases biodiversity.

LOS and Old Growth stands have not been identified in the project area.
All LOS stands must be identified in the project area not just in watersheds that are "deficient" in LOS stands. When this data was requested all that was received was a crude satellite derived raster of HRV classifications.

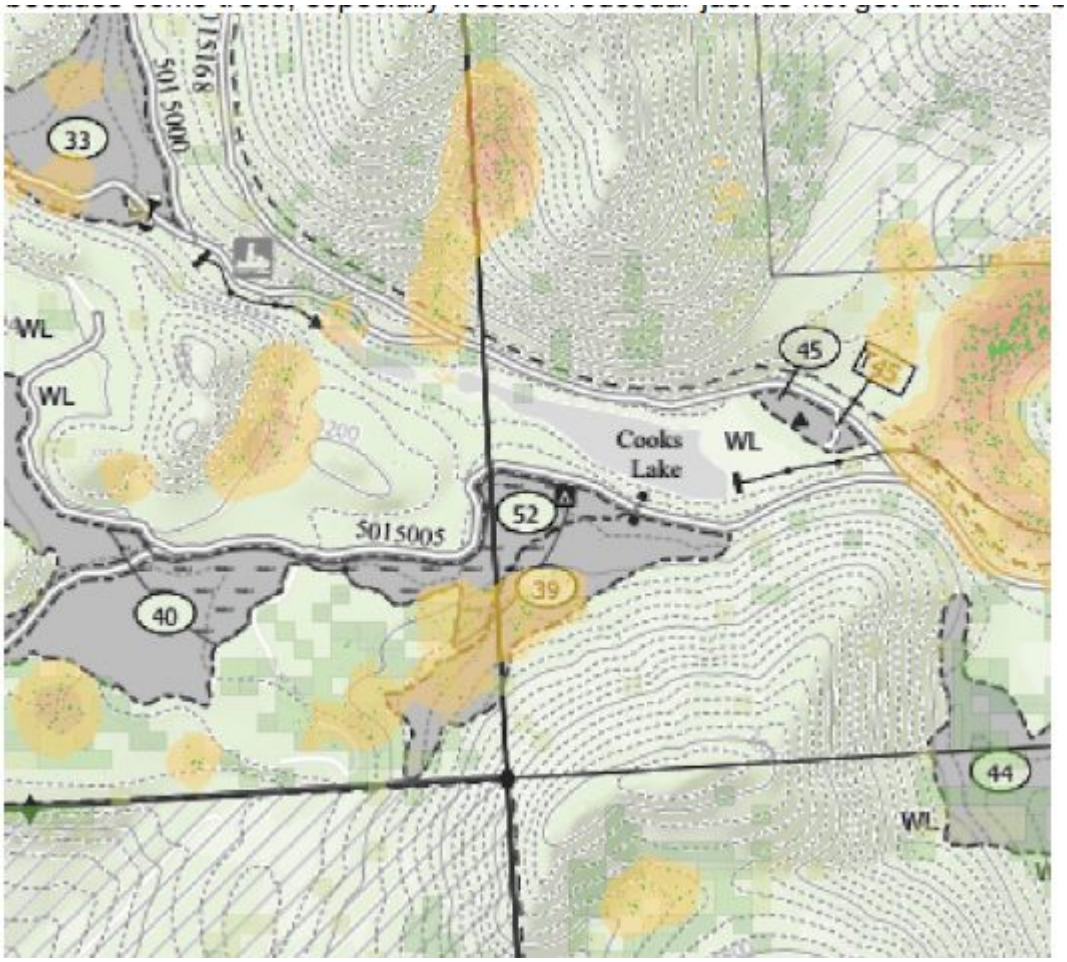
Requested Remedies
1. Conduct a unit-level old-growth inventory using multi-indicator field methods (increment cores, crown form, bark, cavities, epiphytes, decay class).
2. Map and disclose old-growth patches and individual old trees, including small-diameter old specimens.
3. Revise effects analysis to include old-growth specific impacts, not just "late structure" by DBH.
4. Remove MOG "surplus" accounting as a justification for cutting old growth. Explicitly exclude old growth from treatment regardless of watershed HRV status.
5. Supplement the structural class framework with an old-growth designation layer so small-diameter old trees are recognized and protected.
6. Reopen public comment to allow meaningful review of the old-growth inventory and revised effects analysis.
7. Designate all old growth stands less than or equal to 10 acres as a Unique Habitat.

FW-GDL-WL-03. Unique Habitats

Unique habitats, such as cliffs (greater than 25 feet in height below 5,000 feet in elevation), caves (including mines), talus, ponds, marshes, wetlands, deciduous forest (including aspen stands greater than 1 acre in size), natural meadows and areas of colony nesting species should be maintained or protected from activities that result in habitat loss or disturbance.

The unique habitats list is not exclusive and gives examples some are arbitrary in areal extent.

8. Unit 39, Mystic-Witch has significant old growth characteristics and the entire unit should be included with the LOS identified as green raster cells (D: \KaniksuTrailsSxwuytn\GIS\Trail_lidar_Deriv\Trail\Structure\sc5) just to the east of the unit and south of unit 40 and must be removed from any re-offering of this sale.

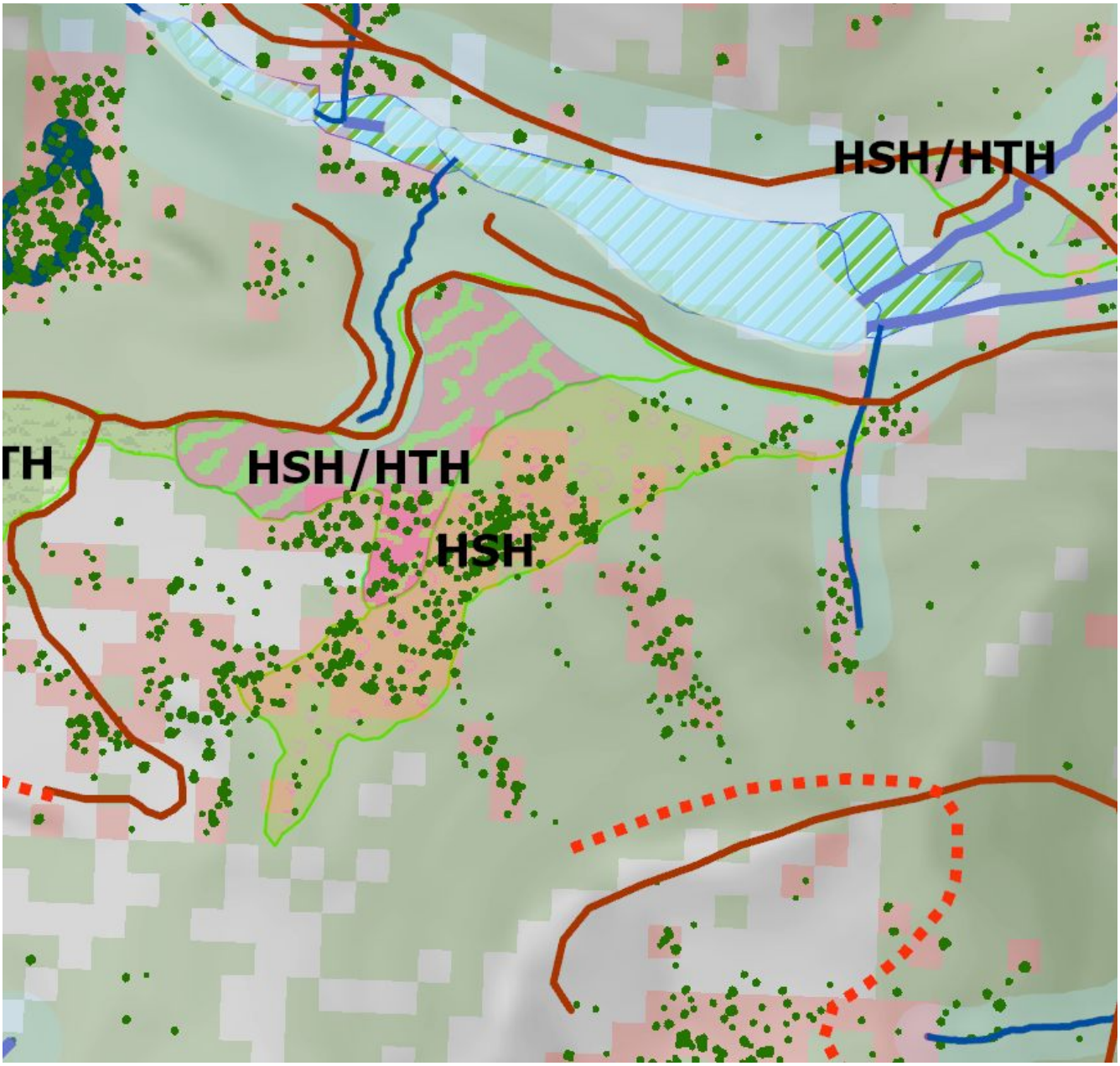


HRV Analysis Is Invalid Because CNF Misclassified Moist-Site Late-Seral Structure

The CNF's HRV analysis is unreliable because the Forest uses a diameter-dominance structural-stage system (Table 7, Silviculture Report, 2020) that systematically misidentifies moist-site late-seral stands as "mid-seral." Moist forests naturally contain abundant small-diameter regeneration beneath large overstory trees. However, under the CNF's method, for example, a stand with ≥10 TPA of ≥21" late-seral trees and a multi-story canopy is classified as "Mid-Closed" solely because small trees dominate the diameter distribution. This is ecologically incorrect and contradicts known moist-site successional pathways, where multi-layered structure and high stem density are defining characteristics of late-seral conditions, negatively affecting ground and understory nesting songbirds such as swainson's and varied thrushes.

Because HRV departure is calculated from these structural-stage proportions, this misclassification artificially inflates "mid-seral" acreage, underestimates existing late-seral structure, and creates a false

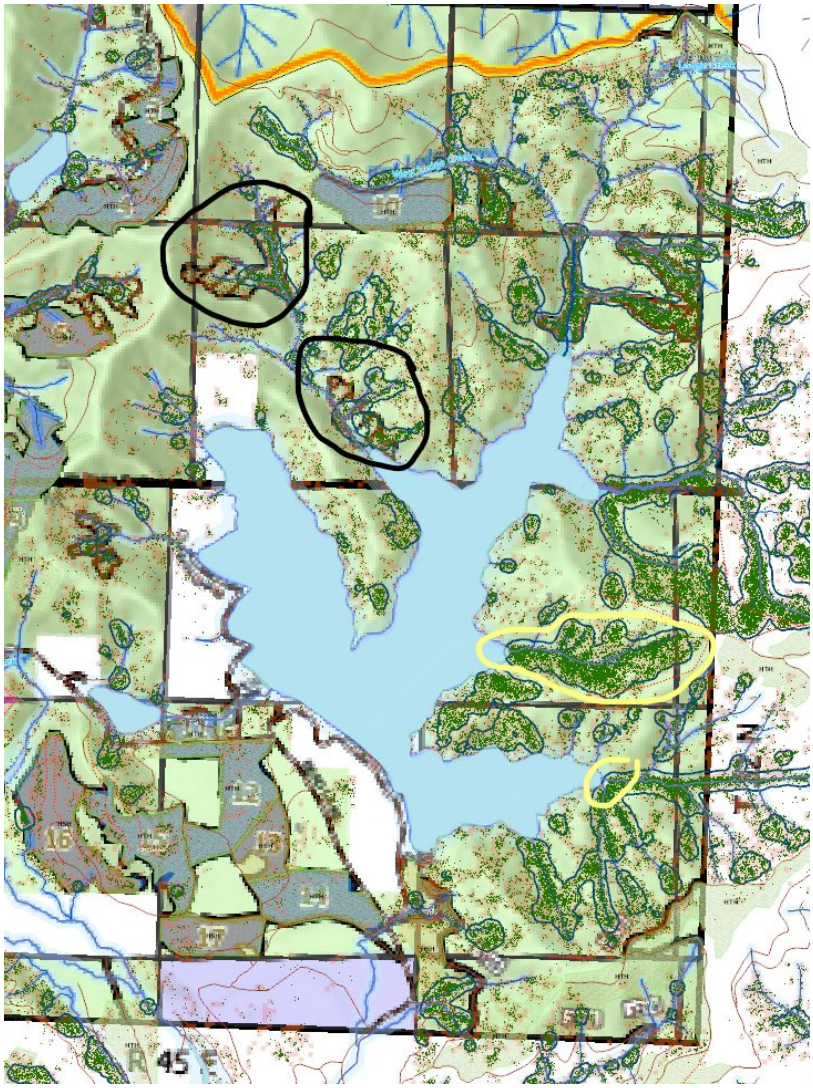
appearance of departure from HRV. The Forest then uses this false departure to justify thinning treatments that degrade actual late-seral habitat. This violates NEPA's requirement for accurate baseline conditions and NFMA's requirement for scientifically valid monitoring of forest structure. This is exemplified by the proposed shelterwood cut, unit 39 (HSH) in Mystic-Witch where the proposed shelterwood is affecting late closed (5), shown in red and is misclassifying the rest of the unit as mid-closed because of the numerous smaller diameter trees in between the 21"+ ones. Furthermore, the CNF is calling the patch to the west of unit 39 as LOS and yet ignoring the same pattern (class 5) in unit 39 shown as reddish raster cells and orangish in the unit due to transparency.



Relief Requested

- Remove Unit 39 and class 5 from the adjacent unit HSH/HTH to the top of the map from any future timber sale contract offerings.

Another glaring example of grossly missed old growth / LOS by the “silviculturists” is in this image of proposed timber sales in the Bead Lake area with “LOS” represented as a black diagonal hatch polygon, outlined in black, missed potential and confirmed stands are outlined a blue polygons, this designation is supported by lidar derived clusters of tall trees (green dots) and structural class 5 from .. \KaniksuTrailsSxwuytn\GIS\Trail_lidar_Deriv\Trail\Structure\sc5 as orange raster cells. Confirmed old growth by field work is outlined in yellow and is in the fire shadow/fire refugia of Bead Lake. A forest fire shadow is an area within or adjacent to a wildfire perimeter that experiences little or no burning because topography, vegetation structure, or previous disturbance reduces fire intensity or prevents fire spread. Fire shadows often occur on moist north-facing slopes, riparian corridors, recent burns, or areas with discontinuous fuels, and they function as natural refugia that retain live trees, seed sources, and late-seral structure after a fire.



Old growth is mentioned on page 66, 2 and 3 of the Sxwuytn Trails Scoping Notice Comments of Sieracki, AWR and UCRSC.

Objection: The Colville National Forest's Use of Historic Range of Variability as a Prescriptive Desired Condition Is Arbitrary, Capricious, and Contrary to the Best Available Science

The Colville Forest Plan relies heavily on HRV as a prescriptive management target
The 2019 Colville National Forest Plan repeatedly uses Historic Range of Variability (HRV) to define "desired conditions," set structural targets, and justify mechanical thinning and canopy reduction. For example, the Plan states that vegetation conditions should "trend toward the historic range of variability" and that forest structure should "reflect the composition, pattern, and processes characteristic of the HRV." This language elevates HRV from a descriptive ecological concept to a prescriptive management mandate, despite the scientific literature warning against this exact misuse.

HRV is based on outdated assumptions of climatic stationarity that no longer apply to the Colville
HRV assumes that pre-settlement forest conditions represent an appropriate reference for modern management. This assumption is scientifically invalid under current and projected climate conditions. Millar et al. (USFS) explain that HRV implicitly assumes "climatic stationarity," even though climate is now shifting outside historical bounds. The Colville NF is already experiencing warmer temperatures, altered snowpack, and increased drought stress. Because HRV is anchored in past climate regimes, it cannot represent achievable or ecologically appropriate conditions for the Colville today.

HRV oversimplifies historical forest structure and fire regimes in northeastern Washington
The Colville Forest Plan uses HRV to justify thinning toward "open, low-density, fire-resilient" conditions. However, the best available science shows that historical forests in the Inland Northwest were far more variable than the low-severity model suggests. Baker, Hanson, Williams, and DellaSala (2023) demonstrate that mixed-severity and high-severity fire were common, and that dense stands, old-growth patches, and complex mosaics were historically widespread. HRV reconstructions used by the Forest Service often omit this variability, leading to management prescriptions that oversimplify historical conditions and misrepresent the ecological role of mixed-severity fire on the Colville. Additionally the CNF HRV concept does not address crucial landscape issues such as woody debris, stand size and large scale disturbance events.

HRV is inappropriate under rapid climate change and novel disturbance regimes
Keane and Loehman (2012) explain that many forests are now experiencing rapid and persistent ecological changes driven by climate change, invasive species, and altered disturbance regimes, making HRV an unreliable management benchmark. These conditions fall outside the historical envelope captured by HRV. Because HRV is backward-looking, it cannot account for the novel ecological trajectories now shaping forest structure and fire behavior on the Colville. An example of the rapid increase in novel climates is illustrated below under rpc 2.6 and 8.5 for the year 2050. The planet is currently under an accelerated rpc 8.5 trajectory (Sieracki, 2014). A MESS map (Multivariate Environmental Similarity Surface) shows how environmentally similar or dissimilar each location in a

projection area is to the conditions in the MaxEnt training data, highlighting where model predictions are extrapolating into novel or non-analog climate space. Several peer-reviewed analyses conclude that recent and near-term global emissions continue to track high-end forcing pathways, including RCP8.5, rather than the lower RCP4.5–RCP6.0 scenarios.

"Some feel that HRV may no longer be a viable concept for managing lands in the future because of expected climate warming and increasing human activities across the landscape (Millar et al., 2007). Today's climates might change so rapidly and dramatically that future climates will no longer be similar to those climates that create past conditions, and the continued spread of exotic plants, diseases, and other organisms by human transport will permanently alter ecosystems (see Fig. 1d). Climate warming is expected to trigger major changes in disturbance processes, plant and animal species dynamics, and hydrological responses(Botkinetal., 2007; Schneider et al., 2007) to create new plant communities and alter landscapes that may be quite different from historical analogs (Neilson et al., 2005; Notaro et al., 2007)"(in Keane et al, 2009).

Schwalm et al. (2020) shows that observed cumulative CO_2 emissions align within 1% of RCP8.5, a finding that stands in contrast to the more conservative emissions trajectories emphasized in recent IPCC assessments. The Slate DN/FONSI, just released (12/22/2025) retains a distinct region of lower climatic change rates an novel climates, visible as the persistent white patch in the upper-left of the images, unlike the Trail 2 scenario."

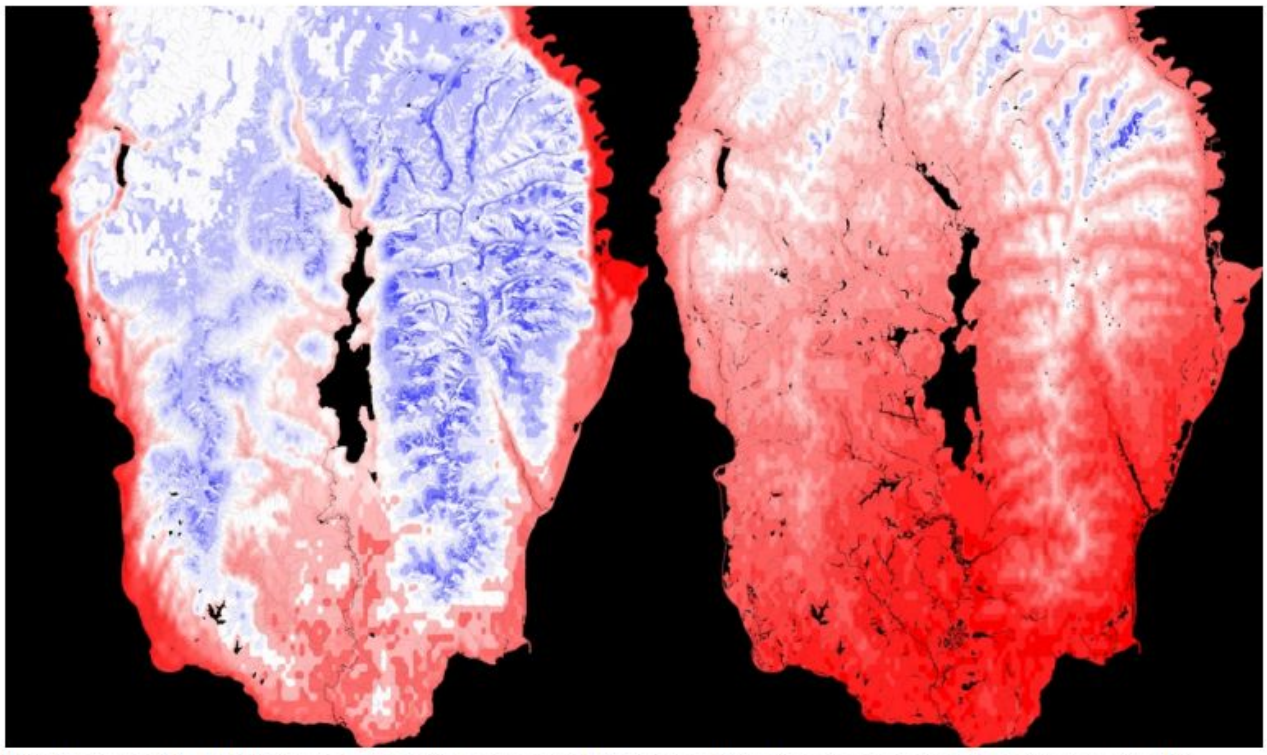


Illustration 17. MESS maps showing areas with novel climates represented as increasingly warm colors for the South Selkriks; rpc 2.6 (left) and 8.5 (right), 2050.

Using HRV as a management target under these conditions is inconsistent with the NEPA's requirement to use the best available science.

HRV cannot substitute for site-specific NEPA analysis on the Colville
HRV is a conceptual framework, not a regulatory requirement. NEPA requires the Forest Service to disclose current conditions, analyze site-specific effects, and evaluate reasonable alternatives. HRV does none of these things. When the Colville NF uses HRV to justify thinning intensity, canopy reduction, or structural targets, it substitutes a broad, generalized reference condition for the detailed, site-specific analysis NEPA mandates. This results in predetermined treatment prescriptions rather than transparent, evidence-based analysis.

Describe how the Trail 2 DN/FONSI follows the guidelines in the Millar et al abstract with emphasis on the resistance options.

"Adaptive strategies include resistance options (forestall impacts and protect highly valued resources), resilience options (improve the capacity of ecosystems to return to desired conditions after disturbance), and response options (facilitate transition of ecosystems from current to new conditions). "

The Colville NF misapplies HRV as a rigid target rather than a descriptive reference
Even researchers who support HRV emphasize that it should inform restoration, not dictate structural goals. Millar et al. cautions that HRV should not be used as a prescriptive template. Yet the Colville Forest Plan uses HRV to define desired conditions, set canopy cover targets, and justify mechanical thinning across large landscapes. This is a misuse of HRV and is inconsistent with the scientific literature, which warns explicitly against treating HRV as a rigid management endpoint.

Conclusion
Because HRV is based on outdated assumptions, oversimplified fire regime models, and incomplete historical reconstructions, and because it cannot account for current or future climate conditions, the Forest Service's reliance on HRV in the Colville Forest Plan violates NEPA's requirement to use the best available science. HRV cannot serve as a prescriptive target for thinning, canopy reduction, or desired conditions on the Colville National Forest.

HRV is discussed on page 2 of Alliance for the Wild Rockies (AWR) and the Sierra Club Upper Columbia River Group (UCRG) Comments.

Relief Requested
To remedy the Forest Service's improper reliance on Historic Range of Variability (HRV) as a prescriptive management target, the Reviewing Officer must require the following:

1. Prepare a supplemental NEPA analysis that evaluates vegetation conditions, desired conditions, and treatment prescriptions using the best available science rather than HRV-based structural targets.

2. Disclose the scientific limitations of HRV in the project record, including its dependence on outdated assumptions of climatic stationarity, oversimplified fire regime models, and incomplete historical reconstructions.

3. Reevaluate desired conditions and treatment prescriptions without using HRV as a prescriptive benchmark, and instead incorporate:

- current climate trajectories,
- mixed-severity fire regime science, and
- contemporary ecological conditions on the Colville National Forest.

4. Provide a site-specific analysis of existing vegetation conditions, rather than relying on HRV to justify predetermined thinning intensities, canopy reduction targets, or structural goals.

5. Revise the vegetation analysis to comply with NEPA's hard-look requirement, including a transparent explanation of how treatments were selected and how they relate to current, not historical, ecological conditions.

6. Reopen public comment after disclosing the revised scientific basis for vegetation management and removing HRV as a prescriptive management standard.

7. Ensure consistency with the Forest Plan's best-available-science mandate by incorporating peer-reviewed research on climate change, mixed-severity fire regimes, and ecological variability that contradicts HRV-based prescriptions.

Objection Issue: The Colville NF unlawfully substitutes a QMD-based structural classification system for the Region 6 Late-Old Structure (LOS) definitions required under the Eastside Screens.

The Decision Notice and EA unlawfully substitute a QMD-based structural classification system for the Region 6 Late-Old Structure (LOS) definitions required under the Eastside Screens. The agency's reliance on quadratic mean diameter of the upper-canopy cohort to assign structure classes is not equivalent to, and cannot replace, the Region 6 Interim Old-Growth Definitions that form the legal basis of LOS designation under the Screens.

The Eastside Screens were established through the 1993 Regional Forester direction requiring retention of "old-growth attributes" across eastside forests. Those attributes are defined exclusively in the Region 6 Interim Old-Growth Definitions (1993). The Decision, however, abandons these definitions and instead applies a QMD-based structure class system from the 2019 Forest Plan, which classifies stands using "the quadratic mean diameter of trees whose heights are in the top 25% of all tree heights in the stand." This different approach does not identify LOS and does not satisfy the Screens' requirement to retain old-growth structure.

The Colville NF's QMD-based structure classes cannot be used to identify LOS

The Forest Plan states:

"Tree structure is classified into five general groups based on diameter and canopy cover… The diameter at breast height (dbh) in inches is based on the quadratic mean diameter of trees whose

heights are in the top 25% of all tree heights in the stand. This generally means the diameters of the larger co-dominant trees… are used to define the structure class (CNF LMP 2019).”

This system:

- Measures average size of dominant trees, not old-growth structure
- Does not evaluate large-tree density
- Does not assess canopy layering
- Does not assess snag or down-wood abundance
- Does not evaluate species composition or late-seral indicators

Therefore, it cannot identify LOS and cannot satisfy the Screens’ requirement to retain old-growth attributes.

Old growth is mentioned at Sxwuytn Trails Scoping Notice Comments – 2. :Clearly, fishers have large home ranges which may overlap the two forests. The fisher has been extirpated from the Colville from logging old growth forests and trapping. The same ideas apply to flammulated owls, pygmy nuthatches, and all TES species. Among many other places discussing old growth, and on Sxwuytn Trails Scoping Notice Comments - 25

Relief Requested

1. Require the Forest to apply the Region 6 Interim Old-Growth Definitions (1993) when identifying Late-Old Structure (LOS) stands for purposes of Eastside Screens compliance.
2. Require the Forest to map LOS stands using the Region 6 criteria and disclose those maps in the NEPA record.
3. Prohibit reliance on QMD-based structure classes as a substitute for LOS designation under the Eastside Screens.
4. Require re-analysis of all proposed harvest units to determine whether they occur within LOS or would downgrade LOS structure under the Region 6 definitions.
5. Withdraw or remand the Decision until LOS is correctly identified, mapped, and protected in accordance with the Eastside Screens and the 1993 Regional Forester direction.

Objection: Logging in RHCA’s is Negatively Affecting Watersheds and Riparian Wildlife.

Approximately 6339 acres of the Trail 2 DN/FONSI have not been logged as of November 22, 2025. This was estimated by selecting Units from the three active sales and adding names to the units in field SaleName2 using the USFS calculated field GIS_Acres. The Sale Name field supplied in this shapefile on the SOPA site was not complete and needed to be updated.

\2025 Decision Commercial Units GIS data\ProposedCommercialUnits_Rx_Update20251020.shp

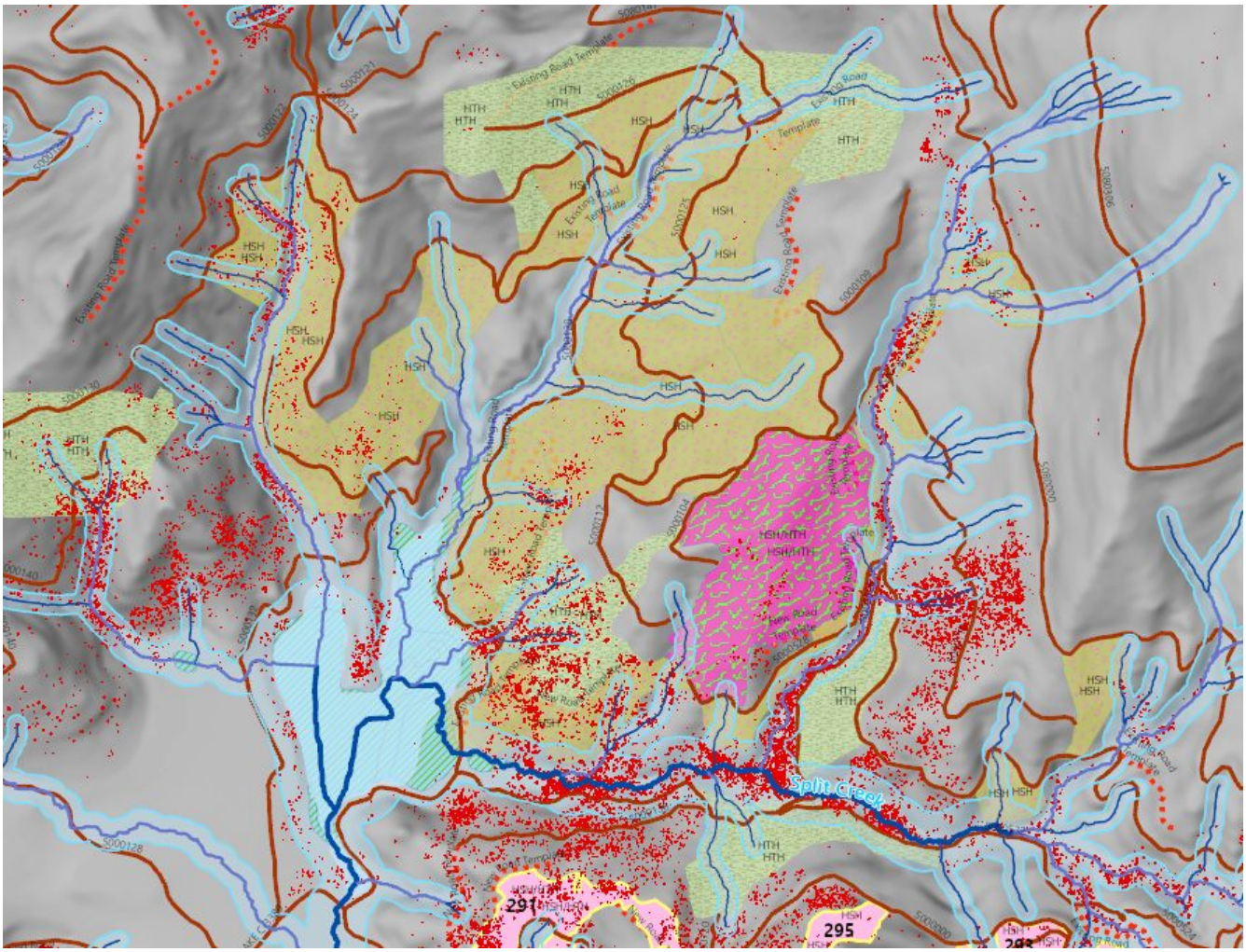
	OBJECTID *	SaleName2	FREQUENCY	SUM_GIS_Acres	SUM_GISAcresCK
1	1	Kalispel Moon	27	824.759404	824.75606
2	2	Kings Lake	30	699.740297	699.737427
3	3	Mill Creek	16	625.475397	625.473078
4	4	Not Logged	137	6339.025237	6339.000389

ProposedCommercialUnits_Rx_Update20251020.shp included a significant area of logging in areas not normally logged in RHCA's for the Not Logged unit aggregated row in the table above. See the image following depicting a large unit cluster with logging proposed in the majority of RHCA's. Most units in the 3 sales in the table above that have been logged have the RHCA buffer removed. Acres logged in the Mill Creek Sale are off by about 50 acres from the supplied Mill Creek Unit shapefile due to the removal of 2 units from an active goshawk territory. The light blue outline of streams in the image below is the RHCA/RMA buffer. There are approximately 1,670 acres of completed and proposed logging in the RHCA (referred to as the RMA on the Colville), the sum of GISAcreDifference in the table below. The accompanying map shows logging right through the RHCA in many of the units in the North Skookum Lake area.

ProposedCommercialUn...oRHCAComparison

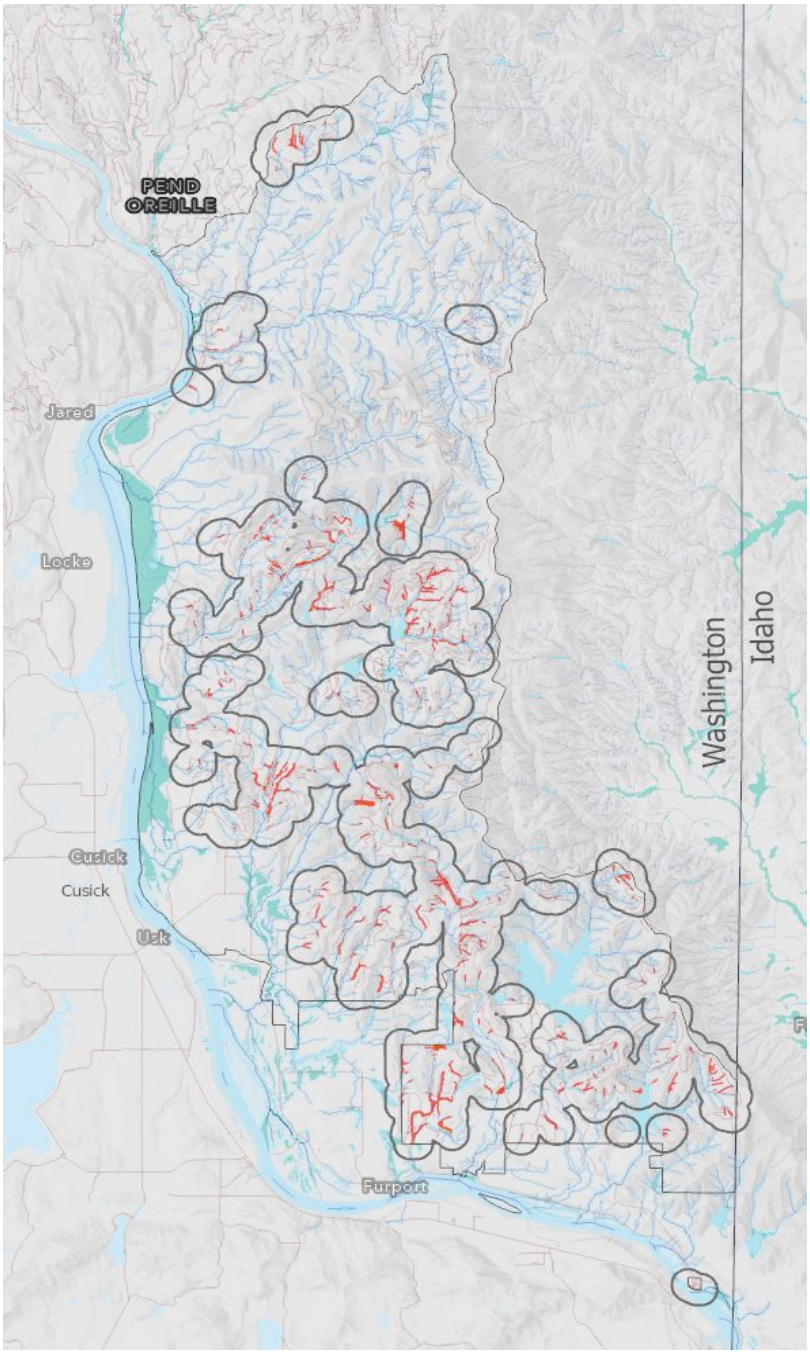
Field: Add Calculate Selection: Select By Attributes Zoom To Switch Clear Delete

	OBJECTID *	SaleName2	FREQUENCY	SUM_GIS_Acres	SUM_GISAcresNoRMA	GISAcre_Difference
1	1	Kalispel Moon	27	824.759404	654.355231	170.404173
2	2	Kings Lake	30	699.740297	578.059871	121.680427
3	3	Mill Creek	16	625.475397	520.435837	105.03956
4	4	Not Logged	137	6339.025237	5065.152905	1273.872332



This map shows proposed logging right across RHCA/RMA's in a unit aggregation north of North Skookum Lake.

To look at the spatial distribution of the impacts of 1670 acres of completed and mostly proposed riparian logging, the image below locates riparian logging in units in the RHCA/RMA shown in red with black buffers to assist with locating the proposed logging.



Riparian logging in units in the RHCA/RMA shown in red with black buffers to assist with locating the proposed logging.

Riparian Areas Have Distinct HRV and Fire Regimes That Differ Fundamentally From Adjacent Upland Forests

The Trail EA proposes logging approximately 1,600 acres inside Riparian Management Areas (RMAs) using upland-derived HRV and fire-regime assumptions. This approach is scientifically inaccurate and

violates NEPA's requirement to use the best available science. Riparian forests have distinct historical fire regimes, disturbance patterns, and structural characteristics that differ fundamentally from adjacent upland dry forests. Applying upland HRV to riparian zones is a category error that results in an ecologically unsound and legally indefensible analysis.

Riparian forests historically burned less frequently and at lower severity than uplands
A large body of peer-reviewed research demonstrates that riparian forests historically functioned as fire refugia, burning less often and less uniformly than surrounding uplands. Agee (1998) found that riparian zones in the Pacific Northwest experienced lower fire frequency and severity due to higher moisture, cooler microclimates, and hydrologic buffering. Naiman and Décamps (1997) similarly documented that riparian areas act as natural fire breaks, with fire behavior strongly moderated by stream proximity, topography, and soil moisture. These findings directly contradict the Trail EA's assumption that riparian forests share the same HRV and fire-return intervals as adjacent upland ponderosa pine and dry mixed-conifer forests.

Riparian HRV is characterized by higher canopy cover, greater structural complexity, and more late-successional conditions
Riparian forests historically supported denser canopies, higher basal area, greater downed wood loads, and more late-successional structure than upland forests (Olson et al. 2007; Reeves et al. 1995). These characteristics are essential for maintaining stream shading, bank stability, nutrient cycling, and cold-water refugia. The Trail EA's proposal to reduce canopy cover and mechanically thin RMAs to resemble upland HRV conditions would eliminate the very features that define riparian ecological integrity.

Riparian fire regimes are shaped by hydrology, not upland fire cycles
Hydrologic processes create conditions that fundamentally alter fire behavior in riparian zones. Reeves et al. (1995) and Olson et al. (2007) show that riparian forests maintain cooler, moister microclimates that suppress fire spread except during extreme events. These forests are dominated by species such as grand fir, western redcedar, black cottonwood, and moist-site Douglas-fir—species with lower fire tolerance and higher moisture requirements than upland ponderosa pine. The Trail EA fails to disclose these ecological distinctions and instead applies upland fire-regime assumptions to their 3 zone riparian areas without scientific justification.

Applying upland HRV to riparian forests is scientifically indefensible
Because riparian forests have distinct HRV patterns, fire regimes, and ecological functions, the Trail EA's use of upland HRV to justify logging 1,600 acres of RMAs violates NEPA's hard-look requirement. The EA does not disclose riparian-specific HRV, does not analyze riparian fire history, and does not evaluate how thinning RMAs to resemble upland conditions will affect stream temperature, shading, bank stability, or aquatic habitat. This omission is a significant analytical failure.

HRV is discussed on page 2 of Alliance for the Wild Rockies (AWR) and the Sierra Club Upper Columbia River Group (UCRG) Comments and on page 6 of **C**omments for the Sxwuytn Trails Logging Project from Paul Sieracki, Alliance for the Wild Rockies and the Upper Columbia River Group – Sierra Club.

Relief Requested

To remedy the deficiencies identified in the objection regarding logging in Riparian Habitat Conservation Areas (RHCA, referred to as RMA on the Colville), the following actions are requested:

Relief Requested
To remedy the Trail EA's failure to use the best available science regarding riparian fire regimes, riparian HRV, and the ecological distinctiveness of Riparian Management Areas (RMAs), and to correct the procedural and analytical deficiencies associated with logging approximately 1,670 acres of mapped RHCA/RMA units, the Reviewing Officer must require the following:

- **Immediate Suspension of Logging in RHCA/RMA Units**
  Halt all commercial and non-commercial logging activities within mapped RHCA/RMA boundaries until a full Environmental Impact Statement (EIS) is completed. Ensure that no units within the 1,670 acres identified as RHCA/RMA logging proceed under current timber sales or service contracts.

- **Inclusion of Riparian Habitat Analysis in a new Environmental Impact Statement (EIS)**
  Prepare an EIS that includes a site-specific analysis of the impacts of logging in RHCA/RMA areas on watershed integrity, aquatic habitat, stream temperature, shading, bank stability, and riparian-dependent wildlife. Include a cumulative effects analysis of both commercial and precommercial thinning activities, with updated maps, corrected acreages, and riparian-specific HRV and fire-regime information.

- **Disclosure of Accurate GIS Data and Unit Mapping**
  Correct discrepancies between sale shapefiles and logged acres, including errors such as the Mill Creek Sale being off by approximately 50 acres due to goshawk territory adjustments. Provide complete, updated shapefiles with SaleName fields corrected, RHCA buffers intact, and all riparian boundaries accurately represented to ensure transparency for public review and meaningful NEPA participation.

- **Reevaluation of All Proposed Vegetation Treatments in RMAs Using Riparian-Specific Science**
  Reevaluate all proposed vegetation treatments within Riparian Management Areas using riparian-specific HRV, riparian fire-regime science, and riparian vegetation structure, rather than applying upland HRV or upland fire-return intervals. Remove or substantially modify treatment prescriptions that reduce canopy cover, remove large trees, or mechanically thin riparian forests to resemble upland conditions unless the Forest Service can demonstrate—using riparian-specific science—that such actions maintain or improve riparian ecological function.

- **Recalculate HRV for the Trail project area excepting RMA's**

- **Restoration and Mitigation of Logged RHCA/RMA Areas**
  Where RHCA/RMA buffers have already been removed or degraded, require restoration measures such as replanting native riparian vegetation, recontouring disturbed soils, stabilizing streambanks, and restoring hydrologic function. Implement monitoring protocols to track recovery of aquatic habitat, riparian vegetation, and riparian-dependent wildlife species.

- **Adoption of a No-Cut Standard in RHCA/RMA Areas**

Establish a binding standard prohibiting commercial harvest in RHCA/RMA units, consistent with Forest Plan direction to protect riparian functions, wildlife corridors, and cold-water refugia. Allow only restoration activities—such as culvert replacement, road decommissioning, invasive species removal, and hydrologic repair—within RHCA/RMA boundaries.

- **Re-scoping and Public Comment Opportunity**
  Reopen scoping and public comment periods with full disclosure of RHCA/RMA logging proposals, updated maps, corrected acreage tables, and riparian-specific HRV and fire-regime analysis. Provide the public and tribes with a meaningful opportunity to review and comment on RHCA/RMA impacts before issuing any revised FONSI or Decision Notice.

Because the Newport RD did not supply a map of precommercial thinning in time for writing this Objection, the amount of activity in RHCA's could not be calculated.

The Trail 2 DN also states that 2.7 acres of wetlands have been "restored" and has yet to provide information as to where that has been accomplished.

Objection Issue: Proposed Logging in Lynx Range impacts Multistory Stands

We submit this comment in response to the District's Decision Notice/Finding of No Significant Impact (DN/FONSI), page 6, which states:

"No project activities will occur within other mapped multi-storied stands that could provide habitat for lynx prey species."

We disagree. The District's lidar imagery demonstrates that approximately 10 acres of multi-storied stands are planned for logging within mapped lynx range. Whether these stands are formally "mapped" by the USFS is irrelevant; scientific ground conditions establish their function as lynx prey habitat.

1. LidarVerified Habitat Conditions
Unit 309 (6 acres): Multi-storied canopy with dense understory regeneration, optimal snowshoe hare habitat. Unit 312 (45 acres, ~5 acres in lynx range): Lidar imagery shows interspersion of shorter vegetation with taller trees, confirming multi-storied composition. Both units fall within the Landfire Vegetation Classification: Northern Rocky Mountain Mesic Montane Mixed Conifer Forest. Note the regrowing clearcut plantation between the two units, already providing good snowshoe hare habitat.

2. Snowshoe Hare Productivity
Snowshoe hare densities in multi-storied mesic conifer forests typically range 1–3 hares/ha. Dense regeneration and horizontal cover are the strongest predictors of hare abundance. Logging or thinning reduces hare densities to <0.5 hares/ha, a level insufficient to sustain lynx. Peer-reviewed studies (Hodges 2000; Mills et al. 2005; Bull et al. 2005) consistently document snowshoe hare densities of 1–3 hares per hectare in dense, multi-storied mesic conifer forests, compared to <0.5 hares/ha in thinned or open stands. The Canada Lynx Conservation Assessment and Strategy (USFWS 2013) explicitly recognizes these multi-storied mesic forests as essential lynx foraging habitat. Thus, logging Units 309 and 312 will materially reduce hare densities and impair lynx habitat, regardless of District mapping

categories. Even if these stands are on less mesic habitats, they still produce snowshoe hares at a lower densities.

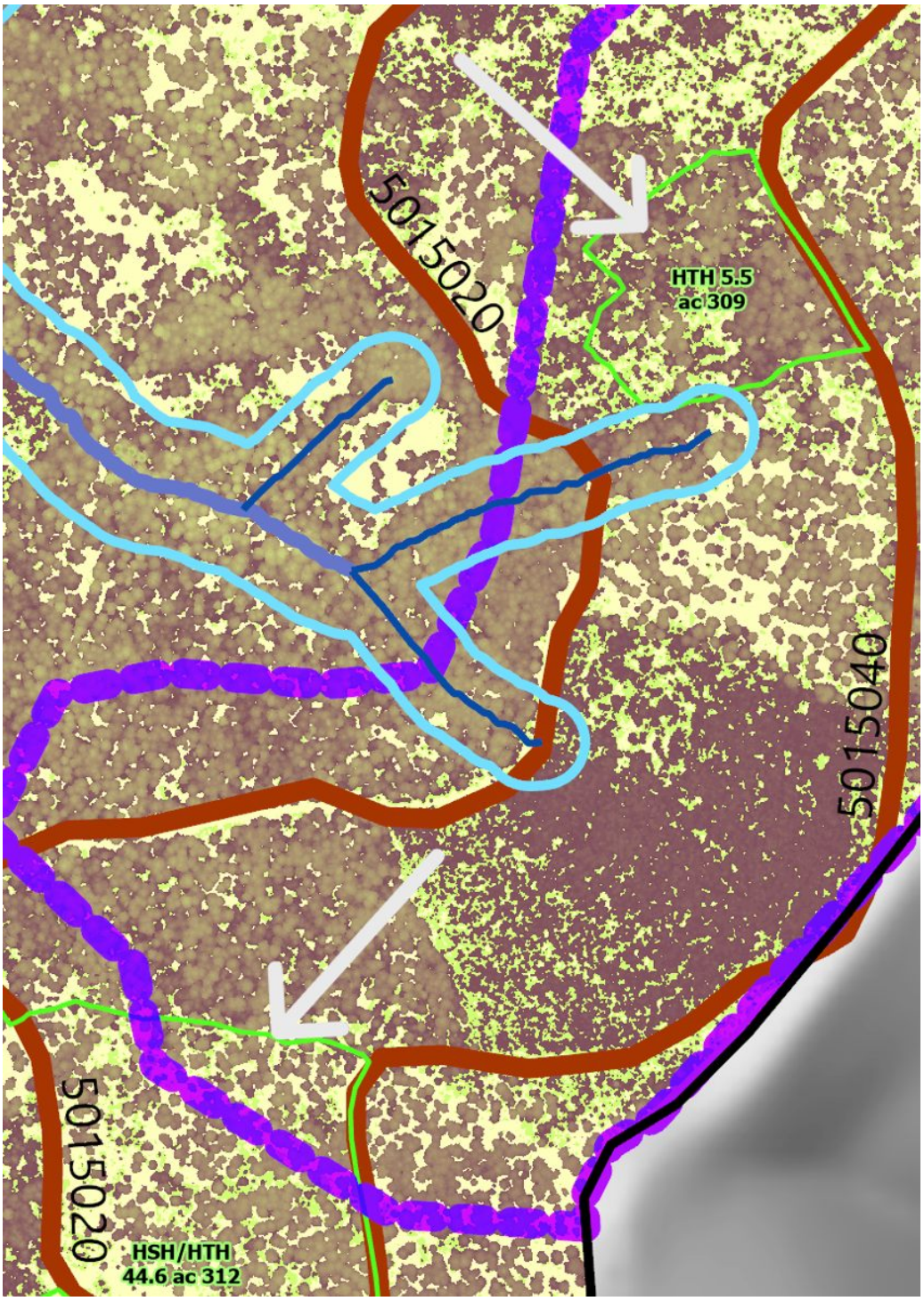
3. Canada Lynx Dependency
- Lynx are obligate predators of snowshoe hare; hare abundance directly determines lynx carrying capacity.
- The Canada Lynx Conservation Assessment and Strategy (2013) identifies multi-storied mesic conifer stands as essential lynx foraging habitat.
- Removal of these stands materially reduces hare populations and lynx habitat suitability.

4. Legal and Scientific Deficiencies
- The District's reliance on "mapped" categories ignores lidar-verified stand structure.
- Logging Units 309 and 312 will reduce hare densities in lynx range, contrary to ESA requirements to conserve listed species and NEPA's mandate for accurate environmental analysis.
- This constitutes a material misrepresentation of habitat conditions and a failure to disclose significant impacts on lynx prey base.

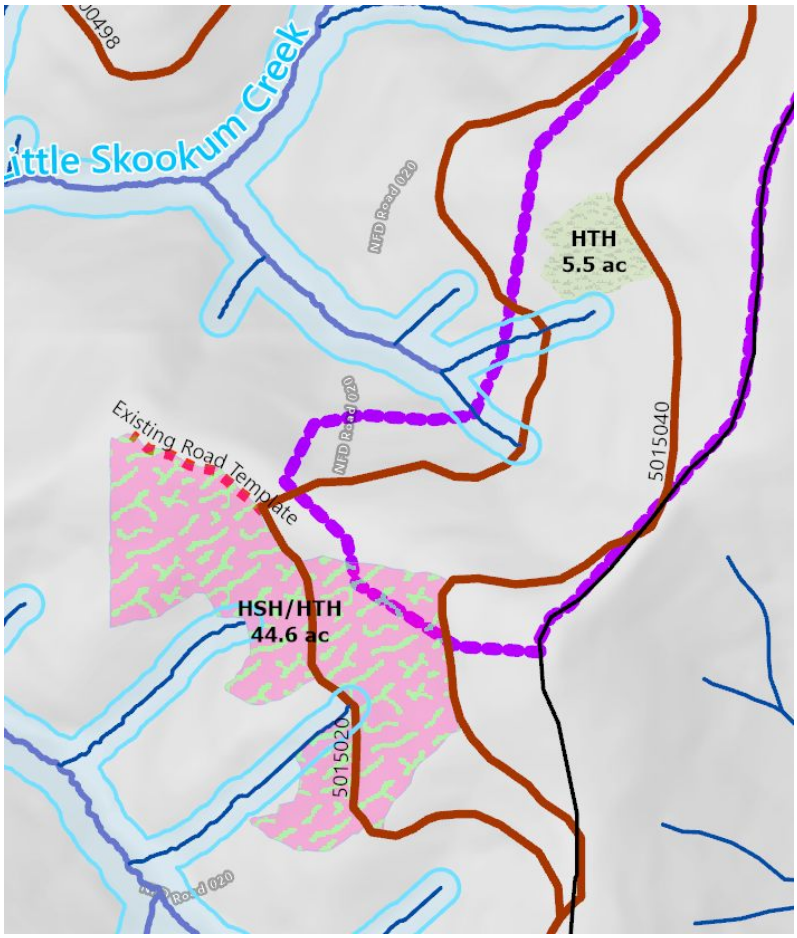
Snowshoe hare productivity in the Northern Rocky Mountain Mesic Montane Mixed Conifer Forest is moderate to high, directly supporting lynx foraging. Logging multi-storied stands in Units 309 and 312 will materially reduce hare densities and impair lynx habitat viability. The District's assertion that no multi-storied prey habitat will be affected is scientifically and legally inaccurate

Sources

LANDFIRE Biophysical Setting Model – Northern Rocky Mountain Mesic Montane Mixed Conifer Forest
Canada Lynx Conservation Assessment and Strategy, 3rd Edition (USFS, 2013)
USFWS – Snowshoe Hare Technical Conservation Assessment Mills et al. – Pellet Count vs. Mark-Recapture Estimates for Hare Density
Bull et al. – Influence of Precommercial Thinning on Snowshoe Hares USFS – Multi-scale habitat relationships of snowshoe hares in the Northern Rockies



Two units in Canada Lynx range that show variability in canopy height and multistory characteristics. Height classifications range from yellow (shorter trees) to browns (taller trees)



Same two units without lidar derived canopy heights.

Relief Requested – Canada Lynx Habitat

To remedy the deficiencies identified in the District's Decision Notice/FONSI regarding Canada lynx habitat, we request the following actions:

Withdraw Logging in Lynx Range Units

Immediately remove Unit 309 (6 acres) and the portion of Unit 312 (~5 acres) within mapped lynx range from all commercial treatment schedules.

Prohibit thinning, shelterwood, or group selection harvests in multi-storied mesic conifer stands identified by lidar imagery as snowshoe hare habitat.

Withdraw the DN/FONSI and issue an EIS to Reflect Verified Habitat Conditions

Incorporate lidar-verified stand structure into the official record, acknowledging the presence of multi-storied prey habitat regardless of "mapped" categories.

Correct the assertion that no multi-storied lynx prey habitat will be affected, ensuring disclosure of the 10 acres identified.

Integrate Snowshoe Hare Productivity Data into Environmental Analysis

Include peer-reviewed density estimates (Hodges 2000; Mills et al. 2005; Bull et al. 2005) showing 1–3 hares/ha in multi-storied mesic conifer forests versus <0.5 hares/ha in thinned/open stands.

Quantify the expected reduction in hare densities from logging Units 309 and 312, and disclose the resulting impact on lynx carrying capacity.

Re-consult with the U.S. Fish and Wildlife Service (USFWS)

Initiate formal ESA Section 7 consultation on the effects of logging multi-storied mesic conifer stands within lynx range.

Provide USFWS with lidar imagery, ground-verified habitat data, and hare productivity analysis to ensure a legally sufficient effects determination.

Prepare a Full Environmental Impact Statement (EIS)

Because logging Units 309 and 312 represents a significant inroad into lynx range and involves inclusion of units not disclosed in the original DN, the impacts rise to the level of significance under NEPA.

A full EIS is required to evaluate direct, indirect, and cumulative impacts on Canada lynx and snowshoe hare populations, alternatives that avoid logging in lynx range, and mitigation measures.

The EIS must disclose the addition of new units not analyzed in the original DN and provide the public with an opportunity for meaningful comment.

Adopt a No-Cut Standard for Multi-Storied Mesic Conifer Stands in Lynx Range

Establish binding direction that prohibits commercial harvest in multi-storied mesic conifer stands within mapped lynx range, regardless of Forest Plan “mapping” categories.

Allow only restoration activities (e.g., culvert replacement, invasive species removal, road removal) that do not reduce hare densities or impair lynx prey habitat.

Update Wildlife Analysis and Biological Opinion

Require the District to update the Wildlife analysis and re-initiate consultation to produce a revised Biological Opinion.

The current DN/FONSI fails to incorporate lidar-verified habitat conditions and newly identified treatment units, resulting in incomplete disclosure of impacts to listed and sensitive species.

A revised wildlife analysis must quantify direct, indirect, and cumulative effects on prey base and habitat suitability, and the Biological Opinion must be updated in coordination with the U.S. Fish and Wildlife Service to ensure compliance with the Endangered Species Act and NEPA.

Objection Issue – Failure to Protect the Washington State-Endangered Gray Wolf

The Environmental Assessment (EA) fails to adequately protect the state-endangered and CNF sensitive species gray wolf. The agency has not conducted systematic, scientifically defensible surveys for wolf dens or rendezvous sites, instead substituting a “no known sites” claim for actual data and lack of field surveys. Field work has not located denning or rendezvous sites for the Skookum Pack, and the wildlife report confirms that surveys have not been completed. These surveys must be conducted immediately prior to sale implementation to ensure compliance with NEPA and the Endangered Species Act (ESA).

No corrective action is being taken to achieve road densities suitable for “seclusion habitat” for wolves. Current road densities remain unacceptably high, with no remedial action proposed to reduce densities to ≤ 1 mile of road per square mile, as required for wolf recovery and successful occupation of the area. The CNF’s assertion that it is merely “trending” toward desired conditions is inadequate; the Forest Plan requires meeting and exceeding desired road density conditions, not deferring them. Road density calculations appear limited to project boundaries, ignoring adjacent Idaho lands within the Skookum Pack range. Along with a grazing allotment on WDNR lands in the project area, wolf trapping in British Columbia and Idaho further exacerbates population sink dynamics, underscoring the need for proactive habitat protections.

The status of the Northern Rocky Mountain gray wolf as a distinct population segment (DPS) is currently under review following Center for Biological Diversity v. U.S. Fish & Wildlife Service, where the court found ESA violations and required a new status assessment. Until that assessment is complete, CNF must take proactive measures to conserve wolf habitat consistent with recovery recommendations.

Finally, the EA fails to integrate wolf conservation with aspen regeneration. The Slate EA, for example, proposed 55 acres of aspen treatments to remove encroaching conifers, but similar measures are absent from the Trail 2 EA. Without fencing, herbivory will suppress new aspen sprouts. A full-sized wolf pack would help reduce ungulate browsing pressure through trophic cascade effects, as documented in Painter et al. (2025) for wolves and bison in Yellowstone. CNF should designate quaking aspen as a sensitive species, provide extra protection, and explore natural regeneration methods in logging units.

This issue was raised on page 39, Scoping Notice Comments. This faulty project has analysis deficiencies for the wolf and other species similar to the Sanpoil Decision which states that:

> *“The project also violated NEPA and NFMA by conducting “cursory analysis” of the effects of the project on gray wolves, wolverine, sensitive bat species, northern goshawk, and the western bumblebee. Finally, the court found that NEPA requires an EIS for the Sanpoil Project because it “creates uncertain risks to old-growth forests and the wildlife dependent on them, and “sets a precedent for future actions that utilize the new old-growth guideline, each of which may be individually insignificant, but create a cumulatively significant impact when applying the new guideline.” Moreover, the lack of quantified or detailed information about the Sanpoil Project’s impacts in this respect “is also highly controversial due to the same questions about its size and nature and effect of the action on old-growth dependent species.” “*
> *Court vacates Colville NF project and parts of its revised forest plan | The Smokey Wire: National Forest News and Views*

Relief Requested – Gray Wolf Protection and Aspen Regeneration

We request that the District:

1. **Conduct systematic surveys**
   Complete scientifically defensible surveys for wolf dens and rendezvous sites in the Skookum Pack range prior to sale implementation.
2. **Revise the EA/DN/FONSI or prepare a new EIS**
   Include corrective actions that reduce road densities to ≤ 1 mile per square mile, consistent with Forest Plan goals for wolf recovery.
3. **Expand road density calculations**
   Incorporate adjacent Idaho lands within the Skookum Pack range to disclose cumulative impacts.
4. **Take proactive conservation measures**
   Implement actions consistent with ESA requirements and pending DPS status review.
5. **Eliminate trapping**
   Prohibit all forms of wolf trapping within the project area.
6. **Integrate wolf conservation with aspen regeneration**

- Implement conifer removal treatments for aspen similar to those in the Slate EA.
- Install fencing or other protections to prevent herbivory on regenerating aspen.
- Designate quaking aspen as a sensitive species and adopt measures to promote natural regeneration.

Probable quaking aspen surviving a partial burn south of Slate Creek.

These remedies are necessary to ensure compliance with NEPA, ESA, and Forest Plan direction, and to protect the ecological integrity of the Skookum Pack range and associated habitats.

This issue was raised on page 39, Scoping Notice Comments. This faulty project has analysis deficiencies for the wolf and other species similar to the Sanpoil Decision which states that:

"The project also violated NEPA and NFMA by conducting "cursory analysis" of the effects of the project on gray wolves, wolverine, sensitive bat species, northern goshawk, and the western bumblebee. Finally, the court found that NEPA requires an EIS for the Sanpoil Project because it "creates uncertain risks to old-growth forests and the wildlife dependent on them, and "sets a precedent for future actions that utilize the new old-growth guideline, each of which may be individually insignificant, but create a cumulatively significant impact when applying the new guideline." Moreover, the lack of quantified or detailed information about the Sanpoil Project's impacts in this respect "is also highly controversial due to the same questions about its size and nature and effect of the action on old-growth dependent species." "
Court vacates Colville NF project and parts of its revised forest plan | The Smokey Wire: National Forest News and Views

Objection Issue: Mastication Impacts at Geophysical XC Ski Area

New information reveals that mastication treatments at the Geophysical cross-country ski area have caused significant ecological damage not disclosed in the EA or DN. Mastication (mechanical shredding of shrubs and small trees, scattering material along the forest floor) has broken up the ground surface, facilitated the spread of noxious weeds such as goatweed and knapweed, and destroyed native understory species including kinnikinnick and ungulate forage shrubs. The operator ran the equipment so close as to expose the dry dusty soil. These impacts occurred within an old goshawk nesting stand, raising concerns about habitat degradation for a sensitive species.

Mastication, which mechanically shreds shrubs and small trees and scatters the debris across the forest floor, often causes greater ecological disturbance than hand thinning. The heavy equipment compacts soils, breaks up ground surfaces, and destroys native understory plants such as kinnikinnick and forage shrubs. By leaving large amounts of shredded material, mastication can create dense mulch layers that suppress native regeneration while favoring invasive species like knapweed and goatweed. In contrast, hand thinning allows for selective removal of vegetation with minimal soil disturbance, preserves native shrubs and groundcover, and reduces the risk of invasive colonization. Hand thinning also maintains structural diversity important for wildlife habitat, whereas mastication homogenizes the understory and disrupts sensitive nesting and foraging areas.

The Trail 2 EA fails to show where mastication will be attempted in the new "explicit" logging units, instead applying treatments broadly without site-specific limits. This omission results in unmitigated soil disturbance, invasive plant colonization, and loss of native shrub communities critical for wildlife forage and nesting cover. Mastication is presented as a benign "vegetation management" tool, but the observed outcomes demonstrate significant ecological harm inconsistent with NEPA's requirement for accurate disclosure and the Forest Plan's obligation to maintain habitat integrity.

Although harder to see, note the removal of low vegetation and *actual cultivation of the surface layer,* exposing soil, which is widespread in the area. Also note the removal of hiding cover for ungulates. Visibility here is now well past the 200' recommendation for being able to see an ungulate at that distance. Natural open understorys such as this are rare to non existent in the project area.

Relief Requested – Mastication Controls and Habitat Protection

We request that the District:

- Suspend mastication treatments in the Geophysical XC Ski Area and eliminate mastication from all units.
- Use hand thinning and brush clearing instead.
- Prepare a supplemental NEPA analysis quantifying soil disturbance, invasive species spread, and impacts to goshawk nesting habitat and ungulate forage forbs, graminoids and shrubs by species.
- Stop using mastication and prohibiting broad application across entire treatment areas.
- Implement invasive species monitoring and control for goatweed, knapweed, and other noxious weeds introduced or spread by mastication.

- Adopt protective measures for native understory species in already masticated sites such as kinnikinnick and forage shrubs, including retention standards and restoration planting.
- Eliminate the use of mastication machinery on all of the project area.
- Analyze the CO2e emissions from the mastication process and other environmental effects such as noise, disturbance and offensive visuals.

Objection Issue: Omission of Spatially Explicit Maps

The Trail 2 EA fails to disclose unit-level treatment maps necessary for meaningful public review. Eight GIS-based maps contained in Appendix_filed_for Motion to Strike (April 3, 2025) in Alliance for the Wild Rockies v. U.S. Forest Service were excluded from the judicial record, but their exclusion underscores the inadequacy of the EA's mapping disclosure. These maps were generated by merging Forest Service shapefiles with GIS layers and reveal spatial inconsistencies in unit boundaries and treatment types. Their content constitutes new information demonstrating that logging units are impermissibly vague, preventing the public from taking a "hard look" at site-specific impacts as required by NEPA.

Reference to Comments: This falls under the new information category as there was no comment period offered to include these maps in the record.

Relief Requested – Incorporation of Maps and Supplemental Disclosure

1. Incorporate the eight GIS-based maps from Appendix_filed_for Motion to Strike (4/3/2025) into the Trail 2 administrative record as they illustrate valuable issues.
2. Prepare an EIS disclosing corrected unit-level treatment maps and addressing spatial inconsistencies.
3. Provide updated maps to the public and allow for meaningful comment on site-specific impacts.
4. Ensure that future mapping disclosures include treatment-level specificity sufficient to meet NEPA's "hard look" standard and Forest Plan transparency requirements.

Objection Issue – Failure to Disclose Goshawk Survey Data and Unit Boundaries

The Trail EA states that Northern Goshawk surveys would be conducted prior to timber sale release to ensure compliance with Forest Plan requirements for sensitive species. However, the agency has since issued a new, less explicit map of logging unit boundaries tied to post-NEPA contract specifications. This map obscures the location and extent of treatment units, preventing meaningful public review.

Despite formal requests, the Forest Service has not supplied the 2025 goshawk survey data nor discussed survey results in the new Decision Memo/FONSI. This omission undermines NEPA's "hard look" requirement and violates disclosure obligations. Without survey data and explicit unit boundaries, the public cannot evaluate impacts to goshawk nesting and foraging habitat, nor assess whether

mitigation measures are adequate. The agency's reliance on vague mapping and undisclosed survey results deprives the public of informed participation and prevents defensible decision-making.

This failure mirrors the disclosure flaw identified by the U.S. District Court in Alliance for the Wild Rockies v. USFS (No. 2:24-cv-157-RLP, Sept. 16, 2025), where the court held that vague timber harvest maps prevented a "hard look" and meaningful public comment. The same deficiency now arises in Trail 2, compounding the agency's failure to provide transparent, unit-level mapping and survey disclosure.

Goshawk Sensitivity and Forest Plan Obligations

The Northern Goshawk (Accipiter gentilis) is recognized by the Forest Service as a sensitive species in the Pacific Northwest. Scientific literature emphasizes that goshawks are highly dependent on mature forest structure, with nesting territories requiring closed canopy conditions and minimal disturbance. Studies (Reynolds et al. 1992; Squires & Kennedy 2006) show that logging and road construction near nest sites can cause nest abandonment and reduce reproductive success.

The Colville National Forest Plan requires that projects maintain habitat conditions for sensitive species and ensure that survey data are incorporated into site-specific decisions. Failure to disclose survey results or to provide unit-level maps prevents the public from verifying compliance with these obligations.

Relief Requested

We request that the Forest Service:

1. Disclose the 2025 goshawk survey data in full, including methodology, survey locations, results, gis data and publicly available maps.
2. Provide explicit, unit-level maps of logging boundaries, rather than generalized or contract-based allowances of additional clearcut openings.
3. Prepare an EIS analyzing impacts to goshawk nesting and foraging habitat, incorporating the 2025 survey data.
4. Reopen public comment on the supplemental disclosure to ensure meaningful participation.
5. Adopt protective measures for goshawk habitat, including unit exclusions or modified prescriptions where surveys confirm nesting or foraging use

Objection Issue: Road Reconstruction, Cost, Maintenance, and Sedimentation: Failure to Disclose Baseline Conditions, Quantify Sediment, or Analyze Road-Related Impacts in the Swxuytn Trail EA and New DN/FONSI

The Swxuytn Trail EA and new DN/FONSI continue to authorize extensive road reconstruction, road maintenance, temporary road construction, and road system modifications, yet the agency has again failed to disclose the location, extent, design, or environmental consequences of this work. These

deficiencies are compounded by the EA's failure to *quantify* sedimentation in any stream reach, despite sediment being a selected issue indicator and despite the Aquatics Report identifying sedimentation as an "Impaired Function" in multiple subwatersheds. The lack of sediment data, combined with extremely high road densities and chronic deferred maintenance, prevents the public from understanding the true impacts of the proposed road system and violates NEPA's hard-look requirement.

1. The EA Fails to Quantify Sedimentation Despite Identifying It as an Impaired Function

The Aquatics Report repeatedly acknowledges that sedimentation is an impaired function, yet no numeric sediment data—such as turbidity, fine sediment percentages, total suspended solids, or sediment load—is disclosed for any stream reach. This omission is especially significant because sedimentation is directly tied to road density, road proximity to streams, and road maintenance failures.

- Middle Creek Subwatershed (Aquatics Report, p. 6):

"Other: Sedimentation — Impaired Function."

No sediment measurements accompany this designation.

- Resource Indicators Table (p. 3):

Sedimentation is listed as a resource indicator, yet no quantitative sediment values appear anywhere in the analysis.

Without quantified sediment levels, the agency cannot evaluate the effects of road reconstruction, road use, or road maintenance on water quality, nor can it demonstrate compliance with the Clean Water Act or Forest Plan water quality standards.

2. Road Densities Are Extremely High and Directly Linked to Impaired Water Quality

The Aquatics Report discloses road densities that far exceed Forest Plan thresholds for properly functioning conditions. These densities are directly tied to sedimentation, yet the EA does not analyze the consequences of maintaining or expanding this oversized road system.

- Middle Creek Subwatershed (pp. 6–7):

"Road density… is 7.9 mi/mi²… Forest Plan direction of less than 2 mi/mi²…"

- Proximity to Water (p. 7):

"47% of the total road miles… are within 300' of streams."

"RMA road density… is 6.8 mi/mi²."

- Road Maintenance (p. 7):

"More than 50% of the stream crossings are undersized and all maintenance level 1 roads have deferred maintenance…"

The CeeCeeAh Creek Subwatershed and others (Aquatics Report p 12) show incredibly high road densities on NFS lands (11.2 miles/sq. mile), not only affecting watersheds, but displacing road density sensitive wildlife.

Impaired Function - Road density for the CeeCeeAh Creek subwatershed is 11.2 mi/mi$_2$ for Roads on NFS land with NFS jurisdiction. Forest Plan direction of less than 1 mi/mi$_2$ for **focused** restoration subwatersheds to be considered functioning properly.

These values demonstrate a severely oversized and poorly maintained road system that is already causing impaired water quality. Yet the EA does not disclose which road segments will continue to fail BMPs after project implementation, nor does it analyze the sedimentation consequences of maintaining such a system.

Nor has the cost of road reconstruction, temp roads, restoration and barrier and sign installation been analyzed for the new Trail 2 logging units.

3. The EA Fails to Analyze How Road Reconstruction Will Affect Sedimentation

Because sedimentation is not quantified, the EA cannot evaluate how road reconstruction, road use, or road maintenance will affect sediment delivery to streams. This is a fundamental analytical failure.

The EA does not disclose:

- sediment delivery rates from reconstructed or maintained roads,
- sediment delivery from undersized culverts,
- sediment delivery from roads within 300 feet of streams,
- sediment delivery from deferred maintenance,
- sediment delivery from temporary roads, or
- sediment delivery from roads located on unstable landforms.

Without this information, the EA cannot demonstrate that road reconstruction will not worsen already impaired sediment conditions.

Without this information, they cannot determine with specificity, which roads will be constructed, reclaimed or barriered for then Trail 2 logging unit map.

4. The EA Fails to Analyze Effects to Bull Trout and Critical Habitat

The Aquatics Report acknowledges that bull trout and bull trout critical habitat occur within the project area, yet the EA does not analyze how unquantified sedimentation and excessive road densities affect this ESA-listed species.

- Aquatics Report (p. 8):

“Mill Creek is classified as Bull Trout Critical Habitat…”

Bull trout are highly sensitive to fine sediment, elevated temperatures, and habitat fragmentation—all conditions exacerbated by high road densities and chronic sediment delivery. Without quantified sediment data or road-impact analysis, the agency cannot demonstrate that the project will not adversely affect bull trout or degrade critical habitat.

5. The EA Fails to Consider Alternatives That Would Reduce Sedimentation

The EA does not consider alternatives that would:

- decommission roads located where chronic sedimentation persists,
- reduce road densities to Forest Plan thresholds,
- eliminate roads that are unaffordable to maintain, or
- prioritize full obliteration of high-risk road segments.

These omissions violate NEPA’s requirement to consider reasonable alternatives.

This continued failure to disclose baseline sediment conditions, quantify road-related impacts, or provide specific, unit-level information about road reconstruction mirrors the very deficiency identified by the U.S. District Court in Alliance for the Wild Rockies v. USFS (No. 2:24-cv-157-RLP, Sept. 16, 2025), where the Court held that vague and non-specific project disclosures prevented a hard look and meaningful public comment. The Swxuytn Trail EA and new Trail 2 DN/FONSI repeat the same error by relying on generalized statements, undisclosed sediment data, and non-specific road system descriptions, in direct conflict with the Court’s directive and NEPA’s requirement for transparent, site-specific analysis.

Discussions relating to road sedimentation and density issues are found in the Trail 1 objection, AWR et al.

Relief Requested

1. Prepare a full EIS that quantifies sediment levels in all affected stream reaches and analyzes project impacts.

2. Disclose road densities for all subwatersheds *before and after timber sales* and evaluate compliance with Forest Plan standards.

3. Analyze road-related sediment delivery, including undersized culverts, deferred maintenance, and proximity to streams. Spatially locate problem areas in maps that are *available to the public*.

4. Provide a full ESA effects analysis for bull trout and critical habitat.

5. Identify and disclose which road segments will not meet BMPs following project implementation. Spatially display these areas on maps that are readily available to the public. The public does not even know which roads in the Trail 2 DN/FONSI will be impacted by the newly designated logging units.

6. Decommission or obliterate road densities where they exceed Forest Plan thresholds or where chronic sedimentation persists.

7. Disclose the cost by road or road segment for restoring, reparing, creating new permanent ant temp roads, putting temp roads to bed and associated BMP's.

8. Reopen public comment following disclosure of sediment data, road analyses, and ESA effects.

We also incorporate Garrity et al Trail Project Objection.pdf, located in the references cited attachment, which is the objection for the original Trail project as part of the Trail 2 Objection.

Respectfully,

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