GREATER HELLS CANYON COUNCIL

June 29, 2026

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Submitted electronically to: https://cara.fs2c.usda.gov/Public/CommentInput?Project=285597

(Please note that we are submitting our comments using the link and project number shown on the project website for commenting on the project. The project number shown on the Public Scoping Letter is 56325).

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RE: Scoping Comments on the Battle Bruin Vegetation Management Project

We are writing on behalf of Greater Hells Canyon Council ("GHCC") regarding the Scoping and Proposed Action for the Battle Bruin Integrated Vegetation Management Project ("project"). GHCC is a non-profit conservation organization based in Northeast Oregon with over 2,000 members and supporters. We were founded in 1967 (as Hells Canyon Preservation Council), and our mission is to connect, protect, and restore the wild lands, waters, native species and habitats of the Greater Hells Canyon Region, ensuring a legacy of healthy ecosystems for future generations.

We very much appreciate the opportunity to provide these comments.

The Proposed Action
The Proposed Action involves vegetative treatments across 36,405 acres of the Umatilla National Forest. The project is located in important watersheds including tributaries of Desolation Creek and the North Fork John Day River.

The majority of the project is located within the Special Fish Management Area (C7). Approximately 86% of the proposed treatment acreage overlaps the Special Fish Management Area (30,806 acres of the 35,978 acres shown in Table 1).

Additional treatments are proposed for the Viewshed 2 (A4) Management Area (2,930 acres); Dedicated Old Growth (C1) Management Area (1,310 acres); and the Managed Old Growth (C2) Management Area (932 acres).

Proposed treatments include:

- 13,250 acres of commercial logging
    - 8,557 acres mechanical commercial
    - 4,693 acres commercial fuel break

- 15,883 acres small diameter mechanical
- 5,392 acres fuel break small diameter
- 804 acres fuel break hand thinning
- 6,566 acres non-mechanical hand thinning
- 5,993 acres hand thinning in RHCAs
- 2,210 acres special forest products
- landscape burning up to 35,978 acres
- planting and seeding up to 35,978 acres
- 27 miles of temporary roads.

The Battle Bruin project area is of particular interest to our staff and membership for its ecological, recreational, and cultural values, especially because it:

- contains critical habitat for aquatic species including anadromous fish and bull trout
- contains critical upland wildlife connectivity habitat between the North Fork John Day Wilderness, Vinegar Hill Indian Rock Scenic Area, and the Bridge Creek State Wildlife Area
- provides exceptional recreational and scenic opportunities.

Comments on the Proposed Action

Field Trip to the Project Area
We very much appreciate the field trip to the project area on June 23. GHCC Senior Advisor Brian Kelly attended. It's valuable and informative for members of the public to be able to visit the project area with Forest Service specialists. Thank you for this opportunity.

Opportunity for Public Comment
We appreciate the information provided in the Project Information and Proposed Action for the project. We are pleased to provide these comments in relation to this information. However, the information currently available generally addresses only the silvicultural and fuels aspects of the project. We anticipate that an Environmental Assessment will be developed for the project containing detailed information about additional important aspects of the project including fisheries and wildlife concerns and more. It's important for members of the public to be provided with the opportunity to comment on the Environmental Assessment. We encourage the Forest Service to provide opportunities for additional comments and to carefully consider these comments. Thank you.

The Secretary's Memorandum 1078-006 Fuels and Forest Health Emergency Situation Determination under section 40807 of the Infrastructure Investment and Jobs Act
The project is being developed using the Fuels and Forest Health Emergency Situation Determination. This analysis considers only the Proposed Action and a No Action Alternative in detail. The Environmental Assessment (EA) and Draft Decision will not be subject to pre-decisional administrative review (the objection process).

Lack of an Actual Emergency and Limitations on Public Participation
It seems that the Forest Service is under pressure from the national level to implement short-cuts to the environmental analyses for forest projects. This is very unfortunate. Members of the public who care

deeply about our public lands are being shut out. We don't always agree with aspects of Forest Service projects, but we have always appreciated the opportunity to be included in the processes. We feel that we provide perspectives and information that add value to the development of Forest Service projects. Opportunities for inclusion are shrinking and this creates barriers between the Forest Service and the public who are supposed to be served by the management of public lands. This is unfortunate.

We agree that the ecological health of our National Forests has degraded and must be addressed. However, this degradation was largely borne of fire suppression and logging practices over the last century. Merriam-Webster defines an emergency as "an unforeseen combination of circumstances or the resulting state that calls for immediate action" or "an urgent need for assistance or relief" as in a state of emergency after a flood. The conditions of the forests of this project and other similar projects are worthy of attention, but their current condition is certainly not unforeseen and they do not constitute an emergency.

It is well-established that the main driver of severe wildfires is not increased fuel loading, but rather climate change and weather events (*Keyser, A, A Westerling. 2017. Climate drives inter-annual variability in probability of high severity fire occurrence in the western United States. Environ. Res. Lett. 12 065003*).

Climate change is an actual emergency and unfortunately it is not being addressed.

In Oregon, the timber industry is the top source of greenhouse gas emissions, representing a major contributor to the worsening climate crisis (*Law, B.E., Hudiberg, T.W., Berner, L.T., Kent, J.J., Buotte, P.C., Harmon, M.E., 2018. Land use strategies to mitigate climate change in carbon dense temperate forests. Proc. Natl. Acad. Sci. U.S.A. 115 (14) 3663-3668, https://doi.org/10.1073/pnas.1720064115 (2018*).

In a recent Supreme Court ruling striking down trade tariffs imposed by the current administration, Chief Justice Roberts suggested that courts should be skeptical of reliance on alleged emergencies to infringe on powers reserved for Congress. Similarly, we are skeptical of the use of an alleged "emergency" for the environmental analysis of this and other similar forest projects.

The use of the "Emergency" determination frustrates the statutory goals of the National Environmental Policy Act ("NEPA") and the purpose of the Forest Service's pre-decisional administrative review ("objections") process, which will then unnecessarily limit the Forest Service from determining the best way to address the on-the-ground conditions of the project area.

A limited alternatives analysis in conjunction with forgoing the pre-decisional objection process will prevent the Forest Service from making the best possible management decisions.

Allowing the Forest Service to consider only a single Proposed Action Alternative dramatically limits the consideration of management activities that may differ from the Forest Service's preferred action, yet still meet the purpose and need of the project.

The Forest Service's objection process is designed to allow a final opportunity for interested individuals or entities to seek a final independent Forest Service review, negotiate, and resolve disputes about a proposed project before a final decision is made. 36 C.F.R. Part 218. The overall purpose of the pre-decisional objection process is to facilitate the Forest Service's "collaborative approach to forest management … resulting in better, more informed decisions." 78 Fed. Reg. 18,483 (March 27, 2013). The objection process is not likely to significantly delay any implementation, as the public is required to submit any objections within 45 days after the publication of a legal notice regarding the availability of a draft EIS. 36 C.F.R. § 218.25(a)(1)(ii). The Forest Service may then begin the objection negotiation and resolution process, where

discussion with interested stakeholders may produce more nuanced and appropriate management decisions—and potentially less litigation—in Forest Service projects.

Without the objection process—especially in conjunction with the limited alternatives analysis—the Forest Service is left trying to solve a problem with one arm tied behind its back. The Forest Service has a valuable problem-solving resource within the individuals and organizations that live, recreate, and work in and around the National Forests. We implore the agency to take advantage of that resource. The Forest Service should forgo the use of the "Emergency" determination for the project and instead continue its collaborative approach to forest management with the objection process.

For the foregoing reasons, we urge the Forest Service not to use the Secretary's Emergency Situation Determination for this project. Not only would doing so further degrade the health of National Forest System lands, it would also put local communities, their watersheds, and the ecosystem at risk. Instead, we request that the Forest Service analyze a full suite of alternatives, provide a robust public comment period, and engage with the public in its objection process prior to a final decision being made, consistent with past practices.

Special Fish Management Area (C7)

As we described above, the majority of the project is located within the Special Fish Management Area (C7). Approximately 86% of the proposed treatment acreage overlaps the Special Fish Management Area (30,806 acres of the 35,978 acres shown in Table 1).

As stated in the Land and Resource Management Plan for the Umatilla National Forest, the GOAL for this Management Area is:

> "MAINTAIN AND ENHANCE WATER QUALITY AND PRODUCE HIGH LEVELS OF ANADROMOUS FISH HABITAT ON AN AREA-WIDE BASIS".

The Land and Resource Management Plan refers to Senate Report No. 98-465 dated May 18, 1984. This Senate report states:

"In developing its recommendation for this area, the Committee has given high priority to protection of fisheries habitat.The North Fork John Day is an extremely important native fishery habitat for Columbia River Salmon. The Committee notes that it has excluded nearly 100,000 acres which was included in the House proposal. In doing so, the Committee wishes to emphasize that its action does not reflect lack of concern for protection of fisheries in the excluded areas. Rather, the Committee feels that in development of forest plans for these areas, the Forest Service can and should afford recognition of the importance of this habitat. Development activities should be undertaken in a manner which minimizes impacts on this important resource."

The Land and Resource Management Plan describes Desired Future Condition and Standards and Guidelines for the C7 Special Fish Management Area. While the Management Plan allows for management activities in C7 including timber and grazing, it also clearly describes the overall importance of protecting, maintaining, and enhancing water quality and fish habitat.

The Proposed Action for the Battle Bruin project describes a silvicultural and fuel-reduction project. The Purpose and Need for the project describes five Needs focused solely on silviculture and fuel reduction. We appreciate that the project contains design criteria to minimize negative impacts to fish and water quality. However, we are disappointed that the project does not proactively address the need to maintain and enhance water quality and produce high levels of anadromous fish habitat on an area-wide basis.

We encourage the Forest Service to assess the current conditions of water quality and fish habitat, identify potential actions to improve aquatic habitats, and develop aquatic restoration activities within this project to enhance these values.

Please remember that the status of anadromous fish and bull trout is tenuous. Climate change is harming fish in all stages of their life cycles. Improving their habitat conditions in important headwaters such as the project area is an achievable way to improve their survival into the future. Please use this opportunity to help these important fish.

Complying with the Land and Resource Management Plan

We appreciate that no Amendments to the Forest Plan are proposed in the Proposed Action. This includes protection of trees 21 inches DBH and larger, as well as no proposed commercial logging in RHCAs. Thank you. We strongly encourage the project to continue to be developed in accordance with the Land and Resource Management Plan without amendments.

Rocky Mountain Elk

Rocky Mountain elk are a vitally important species for the Umatilla National Forest. They are exceptionally valuable economically and socially, and are a culturally important first food for Tribes in the region. Their habitat depends on quality forest cover as well as the spacing and connectivity of that cover across the landscape. Elk also require forage as well as security from human disturbance. Roads open to vehicles and road densities are a primary source of disturbance and lack of security, and must be managed appropriately for desired elk habitat and distribution across the landscape. Disturbance of elk on national forests results in their increased movement off of the public lands toward private lands. This causes reduced opportunities for public hunting and wildlife viewing as well as Tribal opportunities to hunt elk as a first food. Potential conflicts with agriculture and other values on private lands increase as a result of inadequate elk security on the national forest.

The Umatilla National Forest's Land and Resource Management Plan contains important protections for elk and their habitats. Each Management Area within the project contains standards and guidelines for elk habitat. For example, forest plan for the C7 Special Fish Management Area states:

"Elk habitat will be managed to achieve a habitat effectiveness index of no less than 45, including discounts for open roads (see Thomas and others 1979). A minimum of 10 percent of an area will be managed as satisfactory cover (15-20 percent is desirable). A minimum of 30 percent of an area will be managed as total cover. Management activities will not create barriers to impede movement of big game."

In the upcoming Environmental Assessment, please address the current conditions for elk and their habitat in the project area. Please propose actions to address any deficiencies. Important metrics to be considered should include Habitat Effectiveness Index (HEI), excessive road densities, lack of cover, and inadequate security.

Habitat Effectiveness Index should include analysis of all roads in the project area including:

- Roads with closure barriers not effective or being vandalized.
- Roads with closure barriers not being maintained over time.
- Road closure decisions never being implemented (no barrier installed).
- Roads open during the implementation of authorized project activities (such as prescribed fire) resulting in direction to leave roads open until all other activities are completed.

Elk Security and Roads Opened to Motorized Vehicles

Research indicates that elk respond to motorized vehicles by avoiding cover and foraging areas adjacent to open roads. Areas greater than 0.5 miles from roads open to motorized vehicles and 250 acres or greater in size are considered security or refuge areas where elk are less likely to be impacted by motorized vehicle use (Hillis et al. 1991). Vulnerability and hunting mortality have been found to be higher in forested stands with greater road densities and less hiding cover. Even though topography and cover may influence how elk use the landscape, roads open to motorized use are one of the most consistent and strongest variables that is connected to elk distribution and use of public lands.

Significantly, important research on elk security has been completed locally in the Blue Mountains at the Starkey Experimental Forest and Range of the US Forest Service. We encourage the Umatilla National Forest staff to utilize this valuable local research to protect and restore the habitat of the project area.

The research on elk security is extensive. Please see below for a sampling of the literature.

A Selection of Research Literature Regarding Elk Security

Christensen, A.G., et al., editors. 1991. Proceedings of elk vulnerability—a symposium. Montana State University, April 10-12, 1991, Bozeman MT.

Cole, E.K., et al. 1997. Effects of road management on movement and survival of Roosevelt elk. J. Wildl. Manage. 61:1115-1126.

Hillis, J.M., et al. 1991. Defining elk security: The Hillis paradigm. In: Proceedings for symposium on elk vulnerability. A.G. Christensen et al., eds., Bozeman, MT. Montana State University: 38-54.

Montgomery, R.A., et al. 2013. Variation in elk response to roads by season, sex, and road type. J. Wildl. Manage. 77:313-325.

Naylor, L.M., et al. 2009. Behavioral responses of North American elk to recreational activity. J. Wildl. Manage. 73:328–338.

Proffitt, K.M., et al. 2010. Changes in elk resource selection and distributions associated with a late-season elk hunt. J. Wildl. Manage. 74:210-218.

Proffitt, K.M., et al. 2013. Effects of hunter access and habitat security on elk habitat selection in landscapes with a public and private land matrix. J. Wildl. Manage. 77:514-524.

Proffitt, K.M., et al. 2016. Linking landscape–scale differences in forage to ungulate nutritional ecology. Ecological Appls. 26:2156-2174.

Preisler, H.K., et al. 2006. Statistical methods for analyzing responses of wildlife to human disturbance. J. Appl. Ecol. 43:164–172.

Preisler, H.K., et al. 2013. Analyzing animal movement patterns using potential functions. Ecosphere 43.

Ranglack, D.H., et al. 2017. Security areas for elk during archery and rifle hunting seasons. J. Wildl. Manage. 81:778-791.

Rowland, M.M., et al. 2000. Elk distribution and modeling in relation to roads. J. Wildl. Manage. 64:672–684.

Rowland, M.M., et al. 2005. Effects of roads on elk: implications for management in forested ecosystems. Trans. N. Amer. Wildl. Nat. Res. Conf. 69:491–508.

Wisdom, M.J., et al. 2004. Effects of off-road recreation on mule deer and elk. Trans. N. Amer. Wildl. Nat. Res. Conf. 69:531–550.

Wildlife Cover in Shaded Fuel Breaks

As described in the Proposed Action, "Where possible, shaded fuel breaks will be designed to incorporate varied spacing, skips for wildlife connectivity, and tree clumping to accommodate wildlife patches (varying from one quarter to 1 acre in size, adding up to 1 to 2 acres per 30 acres of contiguous treatment). This will result in a heterogeneous landscape, both in species composition and spacing."

We appreciate these modifications to benefit wildlife in shaded fuel breaks. We encourage the Forest Service to include all possible implementation of wildlife habitats and connectivity protections throughout the project.

Landscape Burning

We are supportive of the landscape burning proposed for this project. Fire is an important component of the forest ecology of the Blue Mountains.

Roadless Areas and Other Undeveloped Lands

The Proposed Action does not seem to describe any potential Inventoried Roadless Areas or Other Undeveloped Lands within the project area. Please address if these areas exist in the project area and any potential impacts to them. We recommend these areas remain undisturbed and untreated as refugia and habitat for fish and wildlife.

The Inventoried Roadless Areas were created by the 2001 Roadless Rule to provide lasting protections for these important remaining wild areas. As described in the Federal Register, "Inventoried roadless areas provide clean drinking water and function as biological strongholds for populations of threatened and endangered species. They provide large, relatively undisturbed landscapes that are important to biological diversity and the long-term survival of many at risk species." This undisturbed nature of IRAs is essential to their unique value for humanity and for the natural world. This is a legacy of their protection from commercial logging, associated road construction, soil disturbance, and other associated impacts.

Although the USDA has announced their intent to rescind the rule, the rulemaking has not yet been implemented and the original rule remains in effect until rulemaking is complete. As a result, project

planning must take the Roadless Rule into account and comply with its provisions. This means that any proposed activities within Inventoried Roadless Areas must avoid road construction and timber harvest unless they meet narrow exceptions defined in the rule. We request that the agency develop an action without any proposed treatments in the Inventoried Roadless Areas.

Temporary Roads

The Scoping narrative describes 27 miles of temporary roads to be constructed to access forests for commercial logging. Temporary roads are proposed on 8 miles using an existing template and also 19 miles of new construction.

Twenty-seven miles of temporary roads would have quite an impact over quite a lot of forest soils. Assuming a 10 foot wide roadbed, 27 miles of road would impact more than 32 acres of soils in the project area.

We realize that these roads (and landings) are proposed to be decompacted, hydrologically stabilized, seeded, and effectively closed to motorized use within 5 to 7 years after their initial construction. However, we've observed on this National Forest and elsewhere that temporary roads may become illegal motorized travel routes even after decommissioning.

Please specify who will be responsible for treating and effectively closing these temporary roads after their use.

Temporary roads are not temporary in impact. Temporary roads left in a state of non-use can have impacts on forests and soils that last for decades. The public often continues to use these roads long after implementation of camouflaging and other activities designed to leave them in a state of non-use. As a result, soil compaction, displacement, erosion, and sedimentation impacts will continue to persist. The permanent impacts of temporary road construction have been thoroughly documented.

We recommend any potential units that can only be accessed with temporary roads either be dropped and considered as wildlife refugia, or be non-commercially treated by hand crews. We recommend the same regarding reopening of closed roads, unless there are roads which are currently causing resource damage and that could be restored.

We encourage the Forest Service to limit the impacts of any roads to soils previously disturbed by past operations and to avoid creating negative impacts on previously undisturbed forest and grassland soils.

In particular, please do not construct temporary roads to access logging of forests on steep slopes using tethered logging. It's likely that many of these forests have not previously been impacted by forest roads. The impacts to previously undisturbed forest soils must be seriously considered.

We appreciate that pre-existing landings and road templates would be utilized when possible. We also appreciate that temporary roads will not be constructed or opened within the associated 500 foot buffer of Category 1 streams in the C7 Special Fish Management Area.

We remain concerned about temporary roads causing sedimentation in the tributaries of these important fish-bearing streams, particularly in the C7 Special Fish Management Area.

Aquatic Restoration Creates Wet Fuel Breaks As Well As Fish Habitat
A recent Forest Service publication documents the value of aquatic restoration for fire management as well as for fish habitat (Gillespie et. al. 2026).

The executive summary of this Forest Service report states:

"It may sound simple, but water doesn't burn. Techniques for river and stream restoration, known as process-based restoration (PBR), store more water on the land, which can increase fire resilience and bolster fuel treatments. PBR applied in stream corridors, meadows, and valley bottoms can quickly and cost-effectively increase surface water and groundwater by utilizing non-merchantable timber and slash to raise water tables and increase soil moisture. Integration of watershed restoration during fire and fuels planning can strengthen suppression-control features such as Potential Operational Delineation (POD) boundaries while increasing ecological benefits (fig. 1. Intact wetland complexes and streams connected to their floodplains can better withstand wildfires, provide refuge from fire for fish, wildlife, and plants, then capture ash and sediment following wildfire.

U.S. Department of Agriculture (USDA), Forest Service partners are funding and implementing appropriate PBR techniques designed for specific landscapes. Case studies have demonstrated successful integrated outcomes. When river and stream restoration is fully integrated with fuels reduction treatments and active management, low-value wood and slash are directly utilized, reducing some need for piling and burning or wood hauling. Techniques such as beaver dam analogs, large wood addition, and valley-bottom restoration can be combined with active management practices to achieve multiple goals. The wet fuel breaks created may potentially serve as control lines in prescribed burning operations.

When river and stream restoration is fully integrated with fuels reduction treatments and active management, low-value wood and slash are directly utilized, reducing some need for piling and burning or wood hauling. Techniques such as beaver dam analogs, large wood addition, and valley-bottom restoration can be combined with active management practices to achieve multiple goals. The wet fuel breaks created may potentially serve as control lines in prescribed burning operations."

The report also states:

"Wood and slash from fuels treatments can be strategically placed in low-gradient stream channels and floodplains so that water is slowed and stored in the valley bottom. Using whole trees and slash material generated from forest health vegetation treatments in some types of floodplain restoration may raise the water table, expand riparian vegetation, and ultimately create wet fuel breaks. Watershed restoration can thereby reduce the need for fire-suppression activities in adjacent upland vegetation and during prescribed fire treatments when restored valley floors serve as wet control lines that the fire can naturally burn down to, rather than building a man-made fuel break (fig. 10). The coupling of watershed tactics and POD boundaries strengthens the overall effectiveness of the POD and reduces costs associated with maintaining PODs over time."

This report cites the example nearby the Battle Bruin project on the Wallowa-Whitman National Forest. The Sheep Creek Stewardship Project on the La Grande Ranger District utilized slash from forest thinning to build beaver dam analogs.

Here is the citation for this Forest Service report:
Gillespie, N.; Adams, P.; Croft, J.; Flitcroft, R.; Hogervorst, J.; Powers, P.; Callery, D. 2026. Integrating watershed restoration in wildfire management: opportunities, approaches, and examples. Washington, DC: U.S. Department of Agriculture, Forest Service, Washington Office. 20 p.

Please Include the Benefits of Aquatic Process-Based Restoration For Battle Bruin
The Proposed Action states, "A portion of the slash may be placed directly in stream channels to improve stream function and limit ungulate browsing on hardwoods and other riparian vegetation. Slash and wood placement in targeted stream channels will follow the guidance in ARBO II."

We encourage the development of this element of the Battle Bruin project to include a robust aquatic Process-Based Restoration component of the project. Strategic placement of wood in stream channels will benefit wildfire and fuels management which enhances the project's Purpose and Need. Well-designed placement of wood and structures such as beaver dam analogs will also improve hydrology and fish habitat. Please remember the overall Goal for the C7 Special Fish Habitat Management Area:

"MAINTAIN AND ENHANCE WATER QUALITY AND PRODUCE HIGH LEVELS OF ANADROMOUS FISH HABITAT ON AN AREA-WIDE BASIS".

As another benefit, aquatic restoration also encourages the growth of native riparian vegetation species. Over time, successful aquatic restoration projects may attract beavers. Beavers naturally maintain and enhance the benefits of aquatic process-based restoration. Additionally, in-stream structures may protect water quality by trapping sediments after a wildfire or other disturbance events.

Of course, a successful aquatic process-based restoration project must be carefully planned for success. The Forest Service has professionals available to implement successful aquatic restoration. Additionally, partners outside of the agency are available to potentially provide additional capacity.

With Appreciation
Thank you for your consideration of comments. Please let us know if you have any questions.

Sincerely,

Brian Kelly

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