July 4, 2026

Barry Tye
Deputy District Ranger
1565 WY-150
Evanston, WY 82930.

Re: Gilbert Creek Aspen Restoration proposal

Dear Deputy Ranger Tye,

Please accept these comments from me on behalf of the Alliance for the Wild Rockies, Utah Physicians for a Healthy Environment, Doctors and Scientists Against Wood Smoke Pollution, Yellowstone to Uintas Connection, Council on Wildlife and Fish, Wildlands Defense, and Native Ecosystems Council on the Gilbert Creek Aspen Restoration proposal.

The Alliance for the Wild Rockies, Yellowstone to Uintas Connection, Council on Wildlife and Fish, Wildlands Defense, and Native Ecosystems Council (collectively "Alliance") submit the following comments to guide the development of the environmental analysis for the proposal. We believe that the Forest Service must complete a full environmental impact statement (EIS) for this Project because the scope of the Project will likely have a significant individual and cumulative impact on the environment. Alliance has reviewed the statutory and regulatory requirements governing National Forest Management projects, as well as the relevant case law, and compiled a check-list of issues that must be included in the EIS for the Project in order for the Forest Service's analysis to comply with the law. Following the list of necessary elements, Alliance has also included a general narrative discussion on possible impacts of the Project, with accompanying citations to the relevant scientific literature.

These references should be disclosed and discussed in the EIS for the Project or in the final EA if you refuse to write an EIS.

I. NECESSARY ELEMENTS FOR PROJECT EA or EIS:

II. A. Disclose all Uinta-Wasatch-Cache National Forest's Forest Plan requirements for logging/burning projects and explain how the Project complies with them;

B. Disclose the acreages of past, current, and reasonably foreseeable logging, grazing, and road-building activities within the Project area;

C. Solicit and disclose comments from the Utah Division of Wildlife Resources regarding the impact of the Project on wildlife habitat;

D. Solicit and disclose comments from the Utah Department of Environmental Quality regarding the impact of the Project on water quality;

E. Disclose the biological assessment for the candidate, threatened, or endangered species with potential and/or actual habitat in the Project area;

F. Disclose the biological evaluation for the sensitive and management indicator species with potential and/or actual habitat in the Project area;

G. Disclose the snag densities in the Project area, and the method used to determine those densities;

H. Disclose the current, during-project, and post-project road densities in the Project area;

I. Disclose the Uinta-Wasatch-Cache National Forest's record of compliance with state best management practices

regarding stream sedimentation from ground-disturbing management activities;

J. Disclose the Uinta-Wasatch-Cache National Forest's record of compliance with its monitoring requirements as set forth in its Forest Plan;

K. Disclose the Uinta-Wasatch-Cache National Forests record of compliance with the additional monitoring requirements set forth in previous DN/FONSIs and RODs on theUinta-Wasatch-Cache National Forest;

L. Disclose the results of the field surveys for threatened, endangered, sensitive, and rare plants in each of the proposed units;

M. Disclose the level of current noxious weed infestations in the Project area and the cause of those infestations;

N. Disclose the impact of the Project on noxious weed infestations and native plant communities;

O. Disclose the amount of detrimental soil disturbance that currently exists in each project area from previous cutting, burning and grazing activities;

P. Disclose the expected amount of detrimental soil disturbance in each unit after ground disturbance and prior to any proposed mitigation/remediation;

Q. Disclose the expected amount of detrimental soil disturbance in each unit after proposed mitigation/ remediation;

R. Disclose the analytical data that supports proposed soil mitigation/remediation measures;

S. Disclose the timeline for implementation;

T. Disclose the funding source for non-commercial activities proposed;

U. Disclose the current level of old growth forest in each third order drainage in the Project area;

V. Disclose the method used to quantify old growth forest acreages and its rate of error based upon field review of its predictions;

W. Disclose the historic levels of mature and old growth juniper in the Project area;

X. Disclose the level of mature and old growth juniper necessary to sustain viable populations of dependent wildlife species in the area;

Y. Disclose the amount of mature and old growth juniper that will remain after implementation;

Z. Disclose the amount of current habitat for juniper-sagebrush dependent species in the Project area;

AA. Disclose the amount of big game (moose and elk) hiding cover, winter range, and security during Project implementation;

BB. Disclose the amount of big game (moose and elk) hiding cover, winter range, and security after implementation;

CC. Disclose the method used to determine big game hiding cover, winter range, and security, and its rate of error as determined by field review;

DD. Disclose and address the concerns expressed by the ID Team in the draft Five-Year Review of the Forest Plan regarding the failure to monitor population trends of MIS, the inadequacy of the Forest Plan old growth juniper standard, and the failure to compile data to establish a reliable inventory of sensitive species on the Forest;

EE. Disclose the actions being taken to reduce fuels on private lands adjacent to the Project area and how those activities/or lack thereof will impact the efficacy of the activities proposed for this Project;

FF. Disclose the efficacy of the proposed activities at reducing wildfire risk and severity in the Project area in the future, including a two-year, five-year, ten-year, and 20-year projection;

GG. Disclose when and how the Uinta-Wasatch-Cache National Forest made the decision to suppress natural wildfire in the Project area and replace natural fire with logging and prescribed burning;

HH. Disclose the cumulative impacts on the Forest-wide level of the Uinta-Wasatch-Cache National Forest's policy decision to replace natural fire with logging and prescribed burning;

II. Disclose how Project complies with the Roadless Rule;

JJ. Disclose the impact of climate change on the efficacy of the proposed treatments;

KK. Disclose the impact of the proposed project on the carbon storage potential of the area;

LL. Disclose the baseline condition, and expected sedimentation during and after activities, for all streams in the area;

MM. Please disclose how this project will enhance wildlife habitat;

NN. Please disclose how this project will degrade wildlife habitat;

OO. Please explain the cumulative impacts of this proposed project.

PP. Disclose maps of the area that show the following elements:

1. Past, current, and reasonably foreseeable logging units in the Project area;

2. Past, current, and reasonably foreseeable grazing allotments in the Project area;

3. Density of human residences within 1.5 miles from the Project unit boundaries;

4. Hiding cover in the Project area according to the Forest Plan definition;

5. Old growth forest in the Project area;

6. Big game security areas;

7. Moose winter range;

We request a more detailed analysis of the impacts to fisheries and water quality, including considerations of sedimentation, increases in peak flow, channel stability, risk of rain-on- snow events, and increases in stream water temperature. Please disclose the locations of seeps, springs, bogs and other sensitive wet areas, and the effects on these areas of the project activities. Where livestock are permitted to graze, we ask that you assess the present condition and continue to monitor the impacts of grazing activities upon vegetation diversity, soil compaction, stream bank stability and subsequent sedimentation. Livestock grazing occurs in the Project area and causes sediment impacts, trampled or destabilized banks, increased nutrient loads i, and decreased density, diversity, and function of riparian vegetation that may lead to increased stream temperatures and further detrimental impacts to water quality.

Will all WQLS streams in the project area have completed TMDLs before a decision is signed?

Please demonstrate that the project will comply with NEPA by having detailed maps where the logging and burning will occur. If you are building any roads or skid trails please tell the public where these will be.

We also incorporate the following column by George Wuerthner into our comments.

Why Prescribed Burning Is Seldom Effective

thewildlifenews.com/2021/09/29/why-prescribed-burning-is-seldom-effective/

George WuerthnerSeptember 29, 2021

Prescribed burning is often seen as a way to reduce to the large climate-driven blazes now occurring across the West, however, there are many problems that proponents fail to acknowledge. Photo George Wuerthner

It seems everyone is grasping for some “solution” to big fires. And one of the common assertions is that more prescribed burning would reduce fire spread and allow firefighters to knock down a blaze.

Increasingly we also hear that tribal people kept fires from becoming large by the frequent burning of the landscape–as if this was a secret tool no one in the fire fighting agencies knew about. The evidence suggests that tribal burning likely reduced fuels in the IMMEDIATE area around villages but seldom influenced the larger landscape fire rotation. You can read more on this at https://www.thewildlifenews.com/2020/11/23/indigenous-burning-myths-and-realities/

A prescribed burn, whether done by Indians for cultural purposes or a firefighter with a drip torch, may reduce fuels for a short period. And if a fire were to encounter the burn when fuels were reduced, it might influence fire spread. However, one of the problems with prescribed burning (as well as thinning forests) is the likelihood that any blaze will encounter a “fuel reduction” when it may be effective at influencing fire spread is exceedingly rare. So most prescribed burns (as well as thinning) have no influence whatsoever.

In addition, the very fire people are anxious to stop or control are those burning under extreme fire conditions. These conditions include high temperatures, low humidity, drought and most importantly high winds. High winds, often blow embers over and through “fuel reductions” like

prescribed burns. In other words, even if such prescriptions worked under low to moderate fire weather conditions, fuel reductions including thinning and prescribed burning typically fail to alter fire spread due to wind transport of embers.

Just burning enough of the landscape to have any influence on wildfires is also problematic. The window when burning is safe is frequently very narrow. Concerns about smoke dispersal add to the limitations.

In total, on a national scale, emissions from prescribed burns are just as damaging to human health as those from wildfires. A , recent study, titled, "Smoke from US wildfires, prescribed burns caused premature deaths, billions in health damages" (attached) concluded that annually, nationwide, wildfire smoke and prescribed burns combined to cause the deaths of 20,000 Americans a year, and slightly more than half of those deaths were caused by prescribed burns. If that is the case, it challenges the assumption that human health is being protected by prescribed burns.

A review article, by Reid et al. 2005 (attached), of research on characteristics of biomass burning emissions establishes several important factors on the issue of whether or not the more intense wildfires that prescribed burns are supposed to prevent, are in fact more harmful to human health. It is not just the amount of particulate pollution being emitted,

many factors influence toxicity of biomass burning emissions: the size and shape of the particles, their chemical composition, the age of the particles in the atmosphere, and the type and species of biomass being burned. In turn many factors influence those characteristics, such as the intensity or temperature of the burn, the amount of oxygen in the flame, combustion efficiency, and the progression phase of the burn, i.e. flame or smoldering.

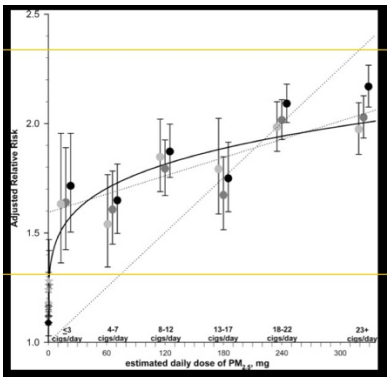
The review found that very intense fires, as opposed to lower-intensity burns like prescribed burns, had higher concentrations of incomplete combustion, and created larger particles. Particle size is extremely important in assessing toxicity of the particles. Smaller particles are more easily inhaled, more difficult to exhale, more easily picked up by the blood stream in the lungs, and then more easily penetrate organs, tissues, and individual cell membranes once those particles are distributed systemically in the blood stream. Moreover, the smaller the particle the greater the surface area for an equal amount of particle mass. The greater surface area allows more toxic chemicals and heavy particles to be adsorbed on to the particle and greater chemical surface reactivity with body molecules. The smallest particles trigger the most oxidative stress, inflammation, tissue injury, and DNA damage.

Although inhaled particulate matter of any size can cause health problems, in general, the smaller the particles the

more damage they can do compared to an equal amount of particle mass consisting of larger particles. On that basis alone, the larger particles of more intense wildfires are less toxic than smaller particles typical of prescribed burns. Other studies have shown that per ton of biomass burned, low intensity burns produce more smoke emissions than higher intensity burns.

It is well known by every relevant medical organization and governmental regulatory agency in the world, there is no safe level of air pollution, it is harmful at even very low concentrations. Please find editorial, titled, "Misuse of Pollution Reference Standards: No Safe Level of Air Pollution", attached.

Furthermore, it is also well known that the dose response curve between air pollution concentration and adverse health outcomes is not linear, but hyperbolic, i.e. steepest at the lowest concentrations. Every critical organ system can be harmed by air pollution, including every cell in the body.



Hyperbolic, air pollution dose response curve. This graph demonstrates there is no safe level of particulate pollution,

and that the relationship between dose exposure and disease is the strongest at the lowest doses.

This means that even small increases in exposure to communities in rural areas is harmful to their health, and that includes from prescribed burns and slash pile burning from forest thinning.

Please find attached a paper titled, “Smoke from US wildfires, prescribed burns caused premature deaths, billions in health damage.”

A recent study by is cited inappropriately as justification for prescribed burns in the Western Unites States. Kelp et al. (2025) (attached) found no significant reduction in wildfire severity from thinning, but did find a significant reduction in fire severity from prescribed fire conducted less than two years prior to wildfire. The study also reported substantial reductions in particulate emissions from prescribed fire. However, on page 10 of that study, the authors base their results regarding particulate emissions reduction on the assumption that "on average 75% of the land treated by Rx [prescribed] fire burns in a wildfire within the next 8 years", which the authors say "agrees well with encounter rates for Northern California (Beidler et al., 2024).” However, only a small portion of one western U.S. state (California) had an encounter rate (prescribed fire area later burned in wildfire) anywhere near this high, and that tiny portion of the western U.S. was a profound outlier. Beidler et al. (2024) (attached) reported, in Table S8

(Supplemental Information Table S8), that even over the course of 10 years the encounter rate in western US states ranged from 7% to 17%, not 75%. Therefore, the particulate emissions reduction results reported by Kelp are not applicable to the vast majority of areas in the western U.S., either because wildfires mostly do not encounter previous prescribed burn units within a given decade, or because prescribed fire would have to be conducted far more often--unrealistically often--to achieve a higher encounter rate.

Please don't poison people and the air shed over the Uintas Wilderness area.

Furthermore, there is always a chance that a prescribed burn will get away and burn far more of the landscape, including homes, prescribed burning increases the chances of fire losses. Due to the low possibility that any blaze will encounter a prescribed burn during the period when it could change fire behavior whether you would reduce the acreage charred is questionable.

We also incorporate the following column by George Wuerthner into our comments.

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Increasingly we also hear that tribal people kept fires from becoming large by the frequent burning of the landscape–as if this was a secret tool no one in the fire fighting agencies knew about. The evidence suggests that tribal burning likely reduced fuels in the IMMEDIATE area around villages but seldom influenced the larger landscape fire rotation. You can read more on this at https://www.thewildlifenews.com/2020/11/23/indigenous-burning-myths-and-realities/

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In addition, the very fire people are anxious to stop or control are those burning under extreme fire conditions. These conditions include high temperatures, low humidity, drought and most importantly high winds. High winds, often blow embers over and through "fuel reductions" like prescribed burns. In other words, even if such prescriptions worked under low to moderate fire weather conditions, fuel reductions including thinning and prescribed burning typically fail to alter fire spread due to wind transport of embers.

Just burning enough of the landscape to have any influence on wildfires is also problematic. The window when burning is safe is frequently very narrow. Concerns about smoke dispersal add to the limitations.

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when it could change fire behavior whether you would reduce the acreage charred is questionable.

A prescribed burn could get away from fire fighters and burn significant acreage as occurred with the Davis Fire near Canyon Creek, Montana and the Cerro Grande prescribed burn that destroyed homes in Los Alamos, New Mexico. When such planned ignitions get away from fire fighters due to changing weather conditions, the District Ranger or Park Supervisor or other responsible agency personnel get blamed for the destruction of property.

This area on the Deschutes National Forest was prescribed burn the previous season. The regrowth of grasses (fine fuels) is now denser than what existed before the burn. Photo George Wuerthner

The other problem with prescribed burning is that in many ecosystems, burning stimulates plant growth. This additional biomass results from the removal of competing

vegetation and release more nutrients, water, and sunlight for the remaining plants. Consequently, within a few years of a prescribed burn, you will often get more fine fuels like grass, shrubs, and small trees than before the burn.

In addition, frequent burning was not the dominant fire regime in many ecosystems. Chaparral, sagebrush, and higher elevation conifer forests like fir, lodgepole, spruce, and others all had naturally long fire rotations and intentionally burning them harms them.

I repeatedly see around the West that agencies will perform a prescribed burn and never bother with the follow-up maintenance. While prescribed burning could be effective if strategically located by communities and repeated continuously, this seldom occurs.

The following two photos demonstrate this idea. The first photo was taken a week after the Bridger Foothills Fire swept across forests, hayfields, and pastures in September 2020. Note that the hayfield has very little grass after being mowed. But strong winds drove the fire across even one-inch stubble. The second photo taken in nearly the exact location shows how rapidly the grass regrew after a fire. In other words, without continuous "maintenance," the burn would have little impact on slowing or stopping a fire.

Area burned by Bridger Foothill Fire near Bozeman in September 2020. Photo George Wuerthner

Same location (note the burnt fence post) a year later where grass (fuel) regrew. Photo George Wuerthner

All this said I don't oppose the strategic use of prescribed burning so long as people recognize the limitations. Reducing fuels around communities and homes can be effective if and when a blaze threatens structures. However, the idea that somehow prescribed burning is an effective panacea that can reduce or preclude climate-driven blazes is questionable.

The Proposed Action calls for burning 1255 acres.

The EPA and other Agencies have been monitoring visibility in national parks and wilderness areas since 1988. In 1999, the U.S. Environmental Protection Agency announced a major effort to improve air quality in national parks and wilderness areas. The Regional Haze Rule calls for state and federal agencies to work together to improve visibility in 156 national parks and wilderness areas such as the Wilderness Areas on the Wasatch Front, Mount Olympus Wilderness, Twin Peaks Wilderness, and Lone Peak Wilderness.

The rule requires the states, in coordination with the Environmental Protection Agency, the National Park Service, U.S. Fish and Wildlife Service, the U.S. Forest Service, and other interested parties, to develop and implement air quality protection plans to reduce the pollution that causes visibility impairment. The first State plans for regional haze were due in December 2007. States, tribes, and five multi-jurisdictional regional planning organizations worked together to develop the technical basis for these plans. Comprehensive periodic

revisions to these initial plans are currently due in 2021, 2028, and every 10 years thereafter.

Federal Clean Air Act; 42 U.S.C. 7470. Congressional declaration of purpose the purposes of this part are as follows:

(1) to protect public health and welfare from any actual or potential adverse effect which in the Administrator's judgment may reasonably be anticipate to occur from air pollution or from exposures to pollutants in other media, which pollutants originate as emissions to the ambient air), notwithstanding attainment and maintenance of all national ambient air quality standards;

(2) To preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special national or regional natural, recreational, scenic, or historic value;42 U.S.C. 7491. Visibility protection for Federal class I areas(a) Impairment of visibility; list of areas; study and report(1) Congress hereby declares as a national goal the prevention of any future, and the remedying of any existing, impairment of visibility in mandatory class I Federal areas whose impairment results from manmade air

pollution. As usual, the agency is long on promises, and short on concrete evidence and analysis when dealing with protection of Class I air quality of the Lone Peak Wilderness, Twin Peaks Wilderness, and Mount Olympus Wilderness. Please demonstrate and disclose in the evidence of any coordination with Salt Lake County, the Utah Division of Air Quality within the Utah Department of Environmental Quality and the EPA with regard to preserving, protecting, and enhancing the air quality in the park. To not do so is a violation of the clear purpose and intent of the cumulative effects requirements of NEPA and the Clean Air Act. Please also demonstrate that the Gilbert Creek Aspen project will not impair the air shed over the Wilderness Areas on the Wasatch Front or the Air Shed over the Salt Lake Valley as required by the Clean Air Act.

In total, on a national scale, emissions from prescribed burns are just as damaging to human health as those from wildfires. A , recent study, titled, "Smoke from US wildfires, prescribed burns caused premature deaths, billions in health damages" (attached) concluded that annually, nationwide, wildfire smoke and prescribed burns combined to cause the deaths of 20,000 Americans a year, and slightly more than half of those deaths were caused by prescribed burns. If that is the case, it challenges the assumption that human health is being protected by prescribed burns.

Weeds

Native plants are the foundation upon which the ecosystems of the Forest are built, providing forage and shelter for all native wildlife, bird and insect species, supporting the natural processes of the landscape, and providing the context within which the public find recreational and spiritual opportunities. All these uses or values of land are hindered or lost by conversion of plants. The ecological threats posed by noxious weed infestations are so great that a former chief of the Forest Service called the invasion of noxious weeds “devastating” and a “biological disaster.” Despite implementation of Forest Service “best management practices” (BMPs), noxious weed infestation on the Forest is getting worse and noxious weeds will likely overtake native plant populations if introduced into areas that are not yet infested. The Forest Service has recognized that the effects of noxious weed

invasions may be irreversible. Even if weeds are eliminated with herbicide treatment, they may be replaced by other weeds, not by native plant species.

Invasive plant species, also called noxious weeds, are one of the greatest modern threats to biodiversity on earth. Noxious weeds cause harm because they displace native plants, resulting in a loss of diversity and a change in the structure of a plant community. By removing native vegetative cover, invasive plants like knapweed may increase sediment yield and surface runoff in an ecosystem. As well knapweed may alter organic matter distribution and nutrient through a greater ability to uptake phosphorus over some native species in grasslands. Weed colonization can alter fire behavior by increasing flammability: for example, cheatgrass, a widespread noxious weed on the Forest, cures early and leads to

Weed colonization can also deplete soil nutrients and change the physical structure of soils. The Forest Service's own management activities are largely responsible for noxious weed infestations; in particular, logging, prescribed burns, and road construction and use create a risk of weed infestations.

How much logging will you do before you burn? The introduction of logging equipment into the Forest creates and exacerbates noxious weed infestations. Are roadsides throughout the project area are infested with noxious weeds? Once established along roadsides, invasive plants will likely spread into adjacent grasslands and forest openings.

Will prescribed burning activities within the analysis area cumulatively contribute to increases to noxious weed distribution and populations?

As a disturbance process, fire has the potential to greatly exacerbate infestations of certain noxious weed species, depending on burn severity and habitat type (Fire Effects Information System 2004).

Dry site vegetation types and road corridors are extremely vulnerable, especially where recent ground disturbance has occurred.

Please provide an alternative that eliminates units that have noxious weeds present on roads within units from fire management proposals.

Please address the ecological, social and ascetic impact of current noxious weed infestations within the project area. Include an analysis of the impact of the actions proposed by this project on the long and short term spread of current and new noxious weed infestations. What treatment methods will be used to address growing noxious weed problems?

What noxious weeds are currently and historically found within the project area? Please include a map of current noxious weed infestations which includes knapweed, Saint Johnswort, cheat grass, bull thistle, Canada thistle, hawkweed, hound's-tongue, oxeye daisy and all other Category 1, Category 2 and Category 3 weeds classified as noxious in the Utah COUNTY NOXIOUS WEED LIST. 1975).

Are yellow and orange hawkweeds present within the project area?

Please address the cumulative, direct and indirect effects of the proposed project on weed introduction, spread and persistence that includes how weed infestations have been and will be influenced by the following management actions: burning and cutting of trees and shrubs

Noxious weeds are not eradicated with single herbicide treatments. A onetime application may kill an individual

plant but dormant seeds in the ground can still sprout after herbicide treatment. Thus, herbicides must be used on consistent, repetitive schedules to be effective.

What commitment to a long-term, consistent strategy of application is being proposed for each weed infested area within the proposed action area? What long term monitoring of weed populations is proposed?

When areas treated with herbicides are reseeded on national forest land, they are usually reseeded with exotic grasses, not native plant species. What native plant restoration activities will be implemented in areas disturbed by the actions proposed in this project? Will disturbed areas including burn units be planted or reseeded with native plant species?

The scientific and managerial consensus is that prevention is the most effective way to manage noxious weeds. The Forest Service concedes that preventing the introduction of

weeds into un-infested areas is “the most critical component of a weed management program.” The Forest Service’s national management strategy for noxious weeds also recommends “develop[ing] and implement[ing] forest plan standards . . ..” and recognizes that the cheapest and most effective solution is prevention. Which units within the project area currently have no noxious weed populations within their boundaries?

What minimum standards are in the Uinta-Wasatch-Cache National Forest’s Forest Plan to address noxious weed infestations? Please include an alternative in the that includes land management standards that will prevent new weed infestations by addressing the causes of weed infestation. The failure to include preventive standards violates NFMA because the Forest Service is not ensuring the protection of soils and native plant communities.

Additionally, the omission of an EIS alternative that includes preventive measures would violate NEPA because the Forest Service would fail to consider a reasonable alternative.

Rare Plants

The ESA requires that the Forest Service conserve endangered and threatened species of plants as well as animals. In addition to plants protected under the ESA, the Forest Service identifies species for which population viability is a concern as “sensitive species” designated by the Regional Forester (FSM 2670.44). The response of each of the sensitive plant species to management activity varies by species, and in some cases, is not fully known. Local native vegetation has evolved with and is adapted to the climate, soils, and natural processes such as fire, insect and disease infestations, and

windthrow. Any management or lack of management that causes these natural processes to be altered may have impacts on native vegetation, including threatened and sensitive plants. Herbicide application – intended to eradicate invasive plants – also results in a loss of native plant diversity because herbicides kill native plants as well as invasive plants. Although native species have evolved and adapted to natural disturbance such as fire on the landscape, fires primarily occur in mid to late summer season, when annual plants have flowered and set seed. Following fall fires, perennial root-stocks remain underground and plants emerge in the spring. Spring and early summer burns could negatively impact emerging vegetation and destroy annual plant seed.

What threatened, endangered, proposed, rare and sensitive plant species and habitat are located within the proposed project area? What standards will be used to protect

threatened, rare, sensitive and culturally important plant species and their habitats from the management actions proposed in this project?

Describe the potential direct and indirect effect of the proposed management actions on rare plants and their habitat. Will prescribed burning occur in the spring and early summer; please give justifications for this decision using current scientific studies as reference.

Please explain to the public what wildlife species will be benefited by this project and what species will be harmed/ We believe that the NEPA requires the agency to adequately demonstrate that the determination that this project will benefit all wildlife species needs to be included in the public involvement process, which in this case is scoping.

What scientific analysis did the Forest Service do to find that the National Forest System lands on the Uinta-Wasatch-Cache National Forest are departed from the natural range of variability?

Please see the attached paper by Dr. William Baker titled:

“Are High-Severity Fires Burning at Much Higher Rates Recently than Historically in Dry-Forest Landscapes of the Western USA?”

Please also find attached Baker 2023.

Dr. Baker writes: “Programs to generally reduce fire severity in dry forests are not supported and have significant adverse ecological impacts, including reducing habitat for native species dependent on early-successional burned patches and decreasing landscape heterogeneity that confers resilience to climatic change.”

Dr. Baker concluded: “Dry forests were historically renewed, and will continue to be renewed, by sudden, dramatic, high-intensity fires after centuries of stability and lower-intensity fires.”

According to page 3 of the Gilbert Creek Aspen Restoration Project’s Reliance on Analysis and DRAFT Decision Notice:

The purpose of this project is to improve wildlife habitat and diversity, improve forest and watershed health, and reduce the risk of uncharacteristically high wildfire effects in the Gilbert Creek watershed. The Project is needed because conditions of the vegetation and habitat within the project area do not currently meet the desired future conditions of the Eastern Uinta's Management Area as outlined in the 2003 Revised Land and Resource Management Plan for the Wasatch-Cache National Forest, as amended.

How specifically will this project improve wildlife habitat and diversity, Forest health, and watershed health?

The agency is violating the NEPA by using vague, unmeasureable terms to rationalize the proposed logging to the public. How can the public measure "resiliency?" What are the specific criteria used to define resiliency, and what are the ratings for each proposed logging unit before and after treatment? How is the risk of fire as affected by the project being measured so that the public can understand whether or not this will be effective? How is forest health to be measured so that the public can see that this is a valid management strategy? What specifically constitutes a diversity of age classes, how is this to be measured, and how are proposed changes measured as per diversity? How are diversity measures related to wildlife (why is diversity need-ed for what species)? If the reasons for logging cannot be clearly identified and measured for the public, the

agency is not meeting the NEPA requirements for transparency.

Please find attached the paper by Faison et al. 2023 titled, "The importance of natural forest stewardship in adaptation planning in the United States." They "argue that expensive management interventions are often unnecessary, have uncertain benefits, or are detrimental to many forest attributes such as resilience, carbon accumulation, structural complexity, and genetic and biological diversity. Natural forests (i.e., those protected and largely free from human management) tend to develop greater complexity, car- bon storage, and tree diversity over time than forests that are actively man- aged; and natural forests often become less susceptible to future insect attacks and fire following these disturbances. Natural forest stewardship is therefore a critical and cost effective strategy in forest climate adaptation."

Faison et al. 2023 shows that the project is not meeting the purpose and need of the project. Please find Faison et al. 2023 attached.

The project does not meet the purpose and need of the project. Please see the attached paper by Baker et al. 2023. This landmark study found a pattern of "Falsification of the Scientific Record" in government-funded wildfire studies.

This unprecedented study was published in the peer-reviewed journal *Fire*, exposing a broad pattern of scientific misrepresentations and omissions that have caused a "falsification of the scientific record" in recent

forest and wildfire studies funded or authored by the U.S. Forest Service with regard to dry forests of the western U.S. Forest Service related articles have presented a falsified narrative that historical forests had low tree densities and were dominated by low-severity fires, using this narrative to advocate for its current forest management and wildfire policies.

However, the new study comprehensively documents that a vast body of scientific evidence in peer-reviewed studies that have directly refuted and discredited this narrative were either misrepresented or omitted by agency publications. The corrected scientific record, based on all of the evidence, shows that historical forests were highly variable in tree density, and included "open" forests as well as many dense forests. Further, historical wildfire severity was mixed and naturally included a substantial component of high-severity fire, which creates essential snag forest habitat for diverse native wildlife species, rivaling old-growth forests.

Please also find attached Baker 2023.
. Based on Dr. Baker's papers, the proposed action will not meet the purpose and need of the project.

Dr. Baker's papers are the best available science. Please explain why this project is not following the best available science in violation of the 2012 Planning Rule.

Much of the acreage that has burned in the Rockies is higher elevation lodgepole pine and subalpine fir forests

that have long fire rotations of hundreds of years and have not been influenced to any great degree by fire suppression.

Furthermore, fuel treatment often enhances fire advancement by increasing the fine fuels (needles, branches, grass growth) on the surface. Plus, opening the forest by thinning can lead to greater drying and wind penetration, both major factors in fire spread.

The advocates for thinning continue to ignore that most large fires around the West, including those in mixed conifer and ponderosa pine, have occurred in lands under "active forest management." That includes the Manti-La Sal Fire and Bootleg Fires, which were among the two largest blazes this past summer in California and Oregon.

For instance, 75% of the Bootleg fire, which burned over 400,000 acres, had previously been "treated" by some form of "fuels management" with no discernible effect on fire spread.

There is plenty of proof from numerous fires where active forest management had no apparent effect on fire behavior or fire spread.

A review of 1500 fires across the West found that as a generalization, areas under "active forest management," which includes thinning and prescribed burning, tend to burn at higher severity than lands like wilderness areas where "fuel treatments" are prohibited.

There is an equally strong consensus among scientists that wildfire is essential to maintain ecologically healthy forests and native biodiversity. This includes large fires and patches of intense fire, which create an abundance of biologically essential standing dead trees (known as snags) and naturally stimulate regeneration of vigorous new stands of forest. These areas of “snag forest habitat” are ecological treasures, not catastrophes, and many native wildlife species, such as the rare black-backed woodpecker, depend on this habitat to survive.

Fire or drought kills trees, which attracts native beetle species that depend on dead or dying trees. Woodpeckers eat the larvae of the beetles and then create nest cavities in the dead trees, because snags are softer than live trees. The male woodpecker creates two or three nest cavities each year, and the female picks the one she likes the best, which creates homes for dozens of other forest wildlife species that need cavities to survive but cannot create their own, such as bluebirds, chickadees, chipmunks, flying squirrels and many others.

More than 260 scientists wrote to Congress in 2015 opposing legislative proposals that would weaken environmental laws and increase logging on National Forests under the guise of curbing wildfires, noting that snag forests are "quite simply some of the best wildlife habitat in forests.”

We can no more suppress forest fires during extreme fire weather than we can stand on a ridge top and fight the

wind. It is hubris and folly to even try. Fires slow and stop when the weather changes. It makes far more sense to focus our resources on protecting rural homes and other structures from fire by creating “defensible space” of about 100 feet between houses and forests. This allows fire to serve its essential ecological role while keeping it away from our communities.

Page 2 of the The Gilbert Creek Aspen Restoration project Reliance on Analysis and DRAFT
Decision Notice states the:

*...**Project would restore aspen stands and improve forest health across approximately 7,217 acres on the North Slope of the Uinta Mountains. Treatments include mechanical and hand thinning, mastication, pile burning, prescribed fire, and riparian habitat improvements such as adding large woody debris to stream channels. These actions aim to reduce. hazardous fuel loads, enhance wildlife habitat—particularly for moose winter range—and improve watershed resilience within the Evanston–Mountain View Ranger District (EMVRD).***

There is no mention of how many acres of mechanical and hand thinning, mastication, pile burning, prescribed fire will occur and no analysis of the impact of each method of cutting, logging, and burning.

There is no wildlife report, no biological assessement and very little analysis on the effect of the project on fish and wildlife and their habitat. The Project's documents fail to take hard look and provide accurate information and analysis to the public in violation of the APA, NFMA, the Migratory Bird Treaty Act, the Bald and Golden Eagle Protection Act, the ESA, the Clean Air Act, the Forest Plan, NEPA, and the Clean Water Act.

Please explain why forest logging, masticating, and prescribed burning will not significantly affect the area's value to wildlife. We contend that the proposed thinning and burning will have significant adverse impacts on many wildlife species.

Please explain include a discussion of the following:

1. Baker and Shinneman. 2004. Fire rotation for high-severity fire in juniper is estimated at 400-480 years.

2. Floyd and others. 2004. Stand replacing fires in juniper 400 years or longer.

3. Bauer and Weisberg. 2009. The fire cycle in pinyon-juniper was estimated at 427 years.

What evidence do you have that shows fire has been suppressed in the area?

Baker and Shinneman (2004), Bauer and Weisberg (2009), and Floyd et al. 2004) that demonstrate that the fire cycle in juniper woodlands is very long, up to 400 years or longer, and has not been impacted by any fire suppression actions since settlement. In addition, Coop and Magee (Undated) noted that low-severity fire is not generally considered to have played an important role in shaping patterns of pre-settlement pinyon-juniper woodland structure, where fire regimes were mostly characterized by rare stand-replacing fire; as a result, they noted that direct management interventions such as thinning or fuel reductions may not represent ecological restoration.

Please explain why a lack of fire has degraded wildlife habitat. One has to assume that the presence of juniper

woodlands is considered an adverse impact on wildlife, and if burned up, would improve wildlife habitat. We have cited a number of publications, just as examples, that in fact identify the high value of juniper woodlands to wildlife. This value includes forage for mule deer, a species that is to be emphasized on this identified winter range. The value of juniper species to mule deer was identified long ago. For example, Lovaas (1958) reported that the primary winter forage for mule deer in the Little Belt Mountains of Montana were several species of juniper. More recently, this importance was again identified in a published research article. Coe et al. (2018) reported that juniper trees are important to mule deer on their winter ranges in Oregon. There is no information in the notice that indicates why juniper removal will benefit mule deer or elk or any wildlife.

Juniper woodlands are also important habitat for many nongame birds (Coop and Magee undated; Reinkensmeyer 2000; Magee et al. 2019).. Coop and Magee (undated) noted that juniper removal treatments substantially reduced the occupancy of pinon-juniper specialists and conifer obligate species, including the pinyon jay. There One such species, the pinyon jay, is a species of conservation concern who is associated with juniper habitats (Boone et al. 2018); this paper warns of the detrimental impacts to this declining species due to juniper thinning projects. More recently, Magee et al. (2019) reported that juniper removal projects resulted in decreased occupancy of many associated bird species, including the pinyon jay. These research reports are consistent with a 2000 report by Reinkensmeyer that juniper woodlands provide important habitat for many bird species, with bird species diversity and density increasing as woodlands progress into old growth juniper. Given the documented high value of old growth juniper forests to

wildlife, the EA or EIS at a minimum needed to discuss how old growth juniper is being managed in this landscape. The Intermountain Region recognizes old growth juniper (Hamilton 1993). How much old growth juniper is believed as essential for optimal non-game bird management, and where is this old growth juniper going to be maintained in the project area?

How will this project effect pinyon jays?

Please see the attached petition to list the pinyon jay for protection under the Endangered Species Act.

Please find the FWS 90-DAY FINDING ON A PETITION TO LIST THE PINYON JAY (Gymnorhinus cyanocephalus) AS A THREATENED OR ENDANGERED SPECIES UNDER THE ENDANGERED SPECIES ACT attached.

The FWS wrote on page 8 of their findings: The petition presents credible evidence that reducing the extent and density of piñon-juniper woodlands, often with complete tree removal, is taking place across the majority of the range of the pinyon jay (Bombaci et al. 2017, 63;

Defenders of Wildlife 2022, 66-78) (1) to improve wildlife habitat (e.g. Greater Sage-Grouse, mule deer) (Bender et al. 2013, 55-56; Bergman et al. 2014, 449; Bombaci and Pejchar 2016, 40; Kramer at al. 2015, 30 and 33; Boone et al. 2018, 191) and livestock forage (Aro 1971, entire), (2) to reduce fuels and support fire mitigation plans (Schoennagel and Nelson 2011, 273-275), (3) to improve watershed function and reduce soil erosion (Jacobs 2015, 1427), and (4) increase plant community heterogeneity (Miller et al. 2014, 479).

The project will violate NEPA, NFMA, the Forest Plan and the APA. Pinyon jay's will be affected by more than just burning nesting habitat. The project will also burn up their food source, pinyon pines.

The project will destroy pinyon jay habitat throughout the Manti-La Sal National Forest.

The project is in violation of NEPA, NFMA and the APA.

The scoping documents do not adequately demonstrate that the project is complying with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (Eagle Act).

Please demonstrate that the project will comply with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act (Eagle Act).

The agency does not address the likely adverse impacts of climate change on the persistence of juniper woodlands or values of forests as carbon sinks.

Please explain how climate change could affect the long-term persistence of juniper woodlands. If the persistence of these woodlands will be adversely impacted by climate change, juniper thinning operations will promote the long-term demise of this important conifer. This impact was noted by Coop and Mcgee (Undated). Indeed, a recent newspaper article by Maffly (2018) reported on the mystery of why junipers are dying in Utah; widespread loss of

junipers would have far- reaching consequences for southern Utah's fragile desert environments.

In addition to the concern about juniper mortality resulting from climate change, we also note that forest thinning in general exacerbates climate change. Milman (2018) recently reported on this issue, noting that scientists say halting deforestation is just as urgent as reducing emissions to address climate change, given the function they provide as a carbon sink. Forest thinning reduces this carbon sink function.

Please explain the impact of juniper treatments on the spread of noxious weeds.

There is a considerable awareness today regarding the problems of noxious weed infestations on public lands. One activity that is clearly promoting noxious weeds are fuels reduction and prescribed burning projects. We cite only a few examples at this time. One example is a Joint Fire

Science Report by Coop and Magee (Undated), where they note that fuels and juniper reduction treatments resulted in rapid, large and persistent increases in the frequency, richness and cover of 20 non-native plant species including cheatgrass; exotic plant expansion appeared linked to the disturbance associated with treatment activities, reduction in tree canopy, and alterations to ground cover; exotic species were much more frequently encountered at treated than control sites, occurring at 86% of sample plots in treatments and 51% of untreated sample plots; richness of exotic species in treatments was more than double that of controls. What is also interesting in this study is that cheatgrass showed a negative effect of tree canopy, which means that cheatgrass was benefited by canopy removal. They noted that models for chestgrass alone and all non-native species together indicate strong negative associations with tree canopies, indicating that increased light availability, or perhaps below-ground resources such as

moisture or nitrogen, enhance colonization and growth in treatments. Increases in exotic plant species in treatment areas was one of the reasons these researchers concluded that managers need to be cautious about implementing treatments in light of the persistent, negative ecological impacts that accompany woodland thinning in pinyon pine-juniper ecosystems; this includes an increase in fire frequency.

Kerns and Day (2014) also reported that juniper treatments resulted in at least a short-term conversion of juniper woodlands to an exotic grassland. And Kerns (undated) reported similar findings in another Joint Fire Science Program report; she stated that it is a significant challenge for land managers to apply thinning and burning fuel treatments in a manner that does not exacerbate existing weed and associated resource problems due to the reduction of ecological resistance that fuel reduction activities

created, combined with the aggressive nature of exotic species present. Kerns also noted that weed problems were also caused in slash pile burning, which is planned for the Rowley Canyon project.

Perchemlides et al. (2008) reported similar problems with juniper thinning projects in Oregon; exotic annual grass cover increased, whereas cover by native perennial grasses did not, in treatment areas; they noted that fuel reduction thinning may have some unintended negative impacts, including expansion of exotic grasses, reduction in native perennial species cover, persistent domination of annuals, and increased surface fuels.

Please show scientific documentation that conversion of juniper woodlands to grasslands, including cheatgrass, improves habitat for all wildlife species.

Although we noted above that juniper woodlands have a very high value to many wildlife species, it is not clear that

replacing juniper with grasses, including cheatgrass, balances out the loss of wildlife species removed due to juniper removal by replacement with other wildlife species that use only grasses as habitat. For example, the scooping notice did not identify that mule deer on this winter range use grasses as winter forage. The value of cheatgrass to elk in the winter is also not demonstrated. Cheatgrass seeds are extremely sharp, and use by elk in the winter seems unlikely. Cheatgrass use by wildlife in the summer is also unlikely after early spring, since this grass cures out by summer. The seeds of cheatgrass are also responsible to mortality through blinding of grassland birds (McCrary and Bloom 1984).

General comments on the proposal are as follows:

Parts of this very large project area are big game winter range as per the Forest Plan. Please define what the specific habitat objectives are for this winter range, including hiding

and thermal cover, as well as forage. Juniper and sagebrush are key forage plants for big game on winter ranges. What are the objectives for these forage species? The Forest Plan direction for this management area is binding. If the agency is going to claim that the Forest Plan is being implemented, you need to specifically define how this is being done, instead of simply claiming that juniper and shrub removal is improvement on big game winter range. Also, the science and monitoring behind this claim need to be provided. Currently mule deer populations have been in decline across the western U.S.. We haven't seen any science that reported increases of mule deer populations following removal of juniper and shrubs on their winter ranges.

Please explain what shrubs are present, and will be targeted for masticating and burning. Do these control efforts include sagebrush? There is extensive documentation that sagebrush is highly valuable to both elk and deer on winter

ranges (Wambolt 1998, Petersen 1993). Removing sagebrush to increase grasses on winter range, as is suggested in the scoping notice, does not promote mule deer and elk. Sagebrush has a high protein content of almost 13% in the winter, while dormant grasses have a protein content of less than 4% (Peterson 1993). There can be no valid reason to remove sagebrush and replace it with grasses for big game winter forage. The actual replacement species the agency claims are going to be managed for are never identified. But at a minimum, the rationale for removing shrubs and replacing them with grasses on winter range needs to be documented, as is required by the NEPA.

The claim that this project will increase diversity is pure unsupported rhetoric. There is no definition as to what constitutes diversity. What criteria are being used to measure diversity, and why isn't this information provided to the public? For example, what is the criteria for a

diversity of age classes in juniper woodlands or sagebrush, and what is this based on? The NEPA requires that the agency provide reliable, valid information to the public on projects. This claim that removing juniper and shrubs will improve diversity is a clear violation of the NEPA, as there is no actual basis for it. Worse, it is not clear why eliminating trees and shrubs increases diversity as per the standard definitions. What science claims that a grassland has higher habitat diversity than a woodland or forest, or shrubland? One likely factor driving the proposed project is not promotion of big game species and wildlife, but instead is being done for livestock. Please explain in the EA or EIS the impact of current livestock grazing practices in this landscape.

What are the objectives for hiding and thermal cover which are the target for management intervention?

Please explain what species of shrubs are going to be slashed and burned. Why aren't these shrubs being used by wildlife?

NEPA requires that the Forest Service provide the public is provided information as to why this project will benefit wildlife. At a minimum, the agency needs to demonstrate to the public that this is in fact the case. The EA or EIS must document any scientific information as to how the resource specialists determined that the project will not lead to any significant effects on wildlife. These conclusions need to be documented for the public, including criteria that were used and evaluated to measure levels of significant impact. As just one question, if the Forest Plan standard to manage this area to promote big game species on their winter range is not being followed, this would most likely trigger significant impacts. It seems like that this is an intentional Forest Plan violation to promote livestock grazing over

wildlife in this landscape. Juniper removal has been a long-standing practice to promote livestock grazing, not wildlife. Please discuss the current grazing use of this area by livestock. This information needs to be included as important information to the public.

Please provided as to what the vegetation types are in the areas not proposed for treatment. What was the basis for determining areas for treatment? It seems likely that the nontreatment areas lack any shrubs and trees. If this is the case, the claims that diversity will be increased by expanding treeless areas in this winter range

The best available science, Christensen et al (1993),recommends elk habitat effectiveness of 70% in summer range and at least 50% in all other areas where elk are one of the primary resource considerations. According to Figure 1 in Christensen et al (1993), this equates to a

maximum road density of approximately 0.7 mi/sq mi. in summer range and approximately 1.7 mi/sq mi. in all other areas.

Do any of the 6th Code watersheds in the Project area meet either of these road density thresholds? It appears the

Project area as a whole also far exceeds these thresholds. Please disclose this type of Project level or watershed analysis on road density.

Christensen et al (1993) state that if an area is not meeting the 50% effectiveness threshold of 1.7 mi/sq mi, the agency should admit that the area is not being managed for elk: "Areas where habitat effectiveness is retained at lower than 50 percent must be recognized as making only minor contributions to elk management goals. If habitat effectiveness is not important, don't fake it. Just admit up front that elk are not a consideration." The Project EIS does not make this admission.

The Forest Service should provide an analysis of how much of the Project area, Project area watersheds, affected landscape areas, or affected Hunting Districts provide “elk security area[s]” as defined by the best available science,

Christensen et al (1993) and Hillis et al (1991), to be comprised of contiguous 250 acre blocks of forested habitat 0.5 miles or more from open roads with these blocks encompassing 30% or more of the area.

Please provide a rational justification for the deviation from the Hillis security definition and numeric threshold that represent the best available science on elk security areas.

What best available science supports the action alternatives?

Schoennagel et al (2004) states: “we are concerned that the model of historical fire effects and 20th-century fire suppression in dry ponderosa pine forests is being applied

uncritically across all Rocky Mountain forests, including where it is inappropriate.

Schoennagel et al (2004) states: “High-elevation subalpine forests in the Rocky Mountains typify ecosystems that experience infrequent, high-severity crown fires []. . . The most extensive subalpine forest types are composed of Engelmann spruce (Picea engelmannii), subalpine fir (Abies lasiocarpa), and lodgepole pine (Pinus contorta), all

thin-barked trees easily killed by fire. Extensive stand-replacing fires occurred historically at long intervals (i.e., one to many centuries) in subalpine forests, typically in association with infrequent high-pressure blocking systems that promote extremely dry regional climate patterns.”

Schoennagel et al (2004) states: “it is unlikely that the short period of fire exclusion has significantly altered the long fire intervals in subalpine forests. Furthermore, large, intense fires burning under dry conditions are very difficult,

if not impossible, to suppress, and such fires account for the majority of area burned in subalpine forests.

Schoennagel et al (2004) states: “Moreover, there is no consistent relationship between time elapsed since the last fire and fuel abundance in subalpine forests, further undermining the idea that years of fire suppression have caused unnatural fuel buildup in this forest zone.”

Schoennagel et al (2004) states: “No evidence suggests that spruce–fir or lodgepole pine forests have experienced substantial shifts in stand structure over recent decades as a result of fire suppression. Overall, variation in climate rather than in fuels appears to exert the largest influence on the size, timing, and severity of fires in subalpine forests [].

We conclude that large, infrequent standreplacing fires are ‘business as usual’ in this forest type, not an artifact of fire suppression.”.

Schoennagel et al (2004) states: “Contrary to popular opinion, previous fire suppression, which was consistently effective from about 1950 through 1972, had only a minimal effect on the large fire event in 1988 []. Reconstruction of historical fires indicates that similar large, high-severity fires also occurred in the early 1700s []. Given the historical range of variability of fire regimes in high-elevation subalpine forests, fire behavior in Yellowstone during 1988, although severe, was neither unusual nor surprising.”

Schoennagel et al (2004), please find attached, states: “Mechanical fuel reduction in subalpine forests would not represent a restoration treatment but rather a departure from the natural range of variability in standstructure.”

Schoennagel et al (2004) states: “Given the behavior of fire in Yellowstone in 1988, fuel reduction projects probably

will not substantially reduce the frequency, size, or severity of wildfires under extreme weather conditions."

Schoennagel et al (2004) states: "The Yellowstone fires in 1988 revealed that variation in fuel conditions, as measured by stand age and density, had only minimal influence on fire behavior. Therefore, we expect fuel- reduction treatments in high-elevation forests to be generally unsuccessful in reducing fire frequency, severity, and size, given the overriding importance of extreme climate in controlling fire regimes in this zone. Thinning also will not restore subalpine forests, because they were dense historically and have not changed significantly in response to fire suppression. Thus, fuel- reduction efforts in most Rocky Mountain subalpine forests probably would not effectively mitigate the fire hazard, and these efforts may create new ecological problems by moving the forest structure outside the historic range of variability."

Likewise, Brown et al (2004) states: “At higher elevations, forests of subalpine fir, Engelmann spruce, mountain hemlock, and lodgepole or whitebark pine predominate. These forests also have long fire return intervals and contain a high proportion of fire sensitive trees. At periods

averaging a few hundred years, extreme drought conditions would prime these forests for large, severe fires that would tend to set the forest back to an early successional stage, with a large carry- over of dead trees as a legacy of snags and logs in the regenerating forest . . . . natural ecological dynamics are largely preserved because fire suppression has been effective for less than one natural fire cycle. Thinning for restoration does not appear to be appropriate in these forests. Efforts to manipulate stand structures to reduce fire hazard will not only be of limited effectiveness but may also move systems away from pre-1850 conditions to the detriment of wildlife and watersheds.” “Fuel levels

may suggest a high fire ‘hazard’ under conventional assessments, but wildfire risk is typically low in these settings.”

Likewise, Graham et al (2004) states: “Most important, the fire behavior characteristics are strikingly different for cold (for example, lodgepole pine, spruce, subalpine fir), moist (for example, western hemlock, western redcedar, western white pine), and dry forests. Cold and moist forests tend to have long fire- return intervals, but fires that do occur tend to be high- intensity, stand-replacing fires. Dry forests

historically had short intervals between fires, but most important, the fires had low to moderate severity.”

According to Graham et al (2004), thinning may also increase the likelihood of wildfire ignition in the type of forests in this Project area: “The probability of ignition is strongly related to fine fuel moisture content, air temperature, the amount of shading of surface fuels, and

the occurrence of an ignition source (human or lightning caused) . . . . There is generally a warmer, dryer microclimate in more open stands (fig. 9) compared to denser stands. Dense stands (canopy cover) tend to provide more shading of fuels, keeping relative humidity higher and air and fuel temperature lower than in more open stands. Thus, dense stands tend to maintain higher surface fuel moisture contents compared to more open stands. More open stands also tend to allow higher wind speeds that tend to dry fuels compared to dense stands. These factors may increase probability of ignition in some open canopy stands compared to dense canopy stands."

We request a careful analysis of the impacts to fisheries and water quality, including considerations of sedimentation, increases in peak flow, channel stability, risk of rain-on-snow events, and increases in stream water temperature. Please disclose the locations of seeps, springs, bogs and

other sensitive wet areas, and the effects on these areas of the project activities. Where livestock are permitted to graze, we ask that you assess the present condition and continue to monitor the impacts of grazing activities upon vegetation diversity, soil compaction, stream bank stability and subsequent sedimentation. Livestock grazing occurs in the Project area and causes sediment impacts, trampled or destabilized banks, increased nutrient loads in streams, and decreased density, diversity, and function of riparian vegetation that may lead to increased stream temperatures and further detrimental impacts to water quality.

This project is a violation of the National Environmental Policy Act (NEPA) since it is failing to provide adequate information to the public. As an example, we expect that there will not be anything close to valid wildlife surveys, including for the goshawk, great gray owl, black-backed

woodpecker, and other sensitive/management indicator species and Utah Species of Concern, as the brown creeper and Cassin's finch, and several species of bats.

Please identify specifically where the prescribed burns will be and where before a decision is made so that the public can understand how the agency is managing these wildlife resources.

Saying that they will decide later denies the public the information needed to make informed comments and as to occupancy of the project areas by wildlife, which is a NEPA violation.

The Project will violate the NEPA if there are no valid snag surveys done for the project area both within and outside proposed harvest units.

The project will violate the NEPA if there are no valid surveys for old growth habitat within each project area, old

growth types need to be defined and quantified by timber types, such as lodgepole pine, Douglas-fir, mixed conifer, spruce, subalpine fir, and limber pine.

The project will likely violate the NEPA if the mitigation measures for MIS, sensitive species, and Utah Species of Concern (birds, mammals including bats) are not clearly defined, and demonstrated to be effective as per the current best science.

This is a violation of NEPA to not identifying specific areas where logging would have occurred and where roads and how many roads will be built.

The scoping notice does not adequately demonstrate that the project is in compliance with NEPA, NFMA, the Clean Water Act, the APA and the ESA.

FAILURE TO REVIEW AND PROTECT CULTURAL AND HISTORICAL RESOURCES

Consultation with the State Historic Preservation Office (SHPO) must be completed prior to a decision being signed. Any required protection measures provided from SHPO will be incorporated into my final decision.

Crucial to the preservation of the historical and cultural foundations of the nation, Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 C.F.R. Part 800 (PDF) (revised August 5, 2004) require Federal agencies to consider the effects of projects they carry out, approve, or fund on historic properties. Additionally, Federal agencies must provide the Advisory Council on Historic Preservation (ACHP) opportunity to comment on such projects prior to the agency's final decision.

A Federal project that requires review under Section 106 is defined as an "undertaking." An undertaking means a project, activity or program funded in whole or in part

under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license, or approval.

Section 110 of the NHPA

Added to the NHPA in 1992, Section 110 requires Federal agencies to emphasize the preservation and enhancement of cultural resources. Section 110 directs agencies to initiate measures necessary to direct their policies, plans, and programs in such a way that federally-owned sites, structures, and objects of historical architectural or archaeological significance are preserved, restored, and maintained for the inspiration and benefit of the public. The agencies are also encouraged to institute (in consultation with the ACHP) procedures to assure Federal plans and programs contribute to the preservation and enhancement

of non-Federally owned sites, structures, and objects of historical, architectural, and archaeological significance.

The UT SHPO has not yet received this survey. Currently this project is in violation of the National Historic Preservation Act and NEPA. The cultural surveys need to be done before the NEPA and NHPA process can be completed, which has not occurred. The project must be approved by the SHPO and the public needs to given a chance to comment on this.

Did the Forest Service conduct NEPA analysis (i.e. an EA or EIS) for the Fire Plan the Forest is using for this project? To not respond to this in violation of NEPA, NFMA, and the APA.

If the Forest Service did not conduct NEPA for the Fire Plan, please immediately start that NEPA process.

Please provide a map showing the WUI and the locations of all homes in comparison to the project area.

Does the Wildlife Urban Interface (WUI) definitions that the project uses comply with the statutory definition of a WUI in the Healthy Forest Restoration Act?

Will the Forest Service be considering binding legal standards for noxious weeds in its revision of the Uinta-Wasatch-Cache National Forest's Forest Plan?

How effective have BMPs been at stopping (i.e. preventing) new weed infestations from starting during prescribed burning and related road operations?

Is it true that new roads are the number one cause of new noxious weed infestations?

Why isn't the Forest Service considering a Forest Plan amendment in this Project to amend the Forest Plan to

include binding legal standards that address noxious weeds?

Is it true that noxious weeds are one of the top threats to biodiversity on our National Forests?

How can the Forest Service be complying with NFMA's requirement to maintain biodiversity if it has no legal standards that address noxious weeds?

What MIS did you find, how many and how did you look for these MIS?

Which wildlife species and ecosystem processes, if any, does prescribed fire benefit?

Which species and processes does prescribed fire harm?

What evidence do you have that this prescribed fire will make the forest healthier for fish and wildlife? What about

the role of mixed severity and high severity fire – what are the benefits of those natural processes?

How have those processes (mixed and high severity fire) created the ecosystems we have today?

Over how many millennia have mixed and high severity fire have been occurring without human intervention?

What beneficial ecological roles do beetles play? Can the forest survive without beetles?

Will all WQLS streams in the project area have completed TMDLs before a decision is signed?

Will this project leave enough snags to follow the Forest Plan requirements and the requirements of sensitive old growth species such as flammulated owls and goshawks?

NEPA requires federal agencies, including the Forest

Service, to take a “hard look” at the direct, indirect, and

cumulative impacts of proposed major federal actions. 42 U.S.C. § 4332(C)(i)-(ii); 40 C.F.R. §§ 1502.16 (1978), 1508.25(c) (1978). Among the impacts NEPA requires agencies to disclose are climate impacts.

Please list each visual quality standard that applies to each unit and disclose whether each unit meets its respective visual quality standard.

Please disclose whether you have conducted surveys in the Project area for this Project for Utah Prairie Dogs, pine martins, northern goshawk, yellow-billed cuckoo, Ute ladies'- tresses, Southwestern Willow Southwestern Willow Flycatcher, Bonytail, Colorado Pike minnow, Humpback Chub, Razorback Sucker, Bald Eagles, Greater Sage Grouse, Northern Goshawk, Spotted Bat, Peregrine Falcon, Spotted Bat, Three-toed woodpecker, Townsend's big-eared bat, Bonneville cutthroat trout, Utah

Colorado River Cutthroat Trout, Columbia River Spotted Frog, Southern Leatherside chub, Western Boreal Toad, Black Rosy-Finch, Brewer's Sparrow, Burrowing Owl, Calliope Hummingbird, Cassin's Finch, Ferruginous Hawk, Fox Sparrow, Gray Vireo, Juniper Titmouse, Lewis's Woodpecker, Loggerhead Shrike, Long-billed Curlew, Olive-sided Flycatcher, Pinyon Jay, Prairie Falcon, Sage Thrasher, Short-eared Owl, Virginia's Warbler, Western Grebe, Williamson's Sapsucker, Willow Flycatcher, Golden Eagle, Macroinvertebrates, Aquatic Insects, Mule Deer, Northern Goshawk, Rocky Mountain Elk, and Monarch Butterfly.

Please disclose the last time the Project area was surveyed for Utah Prairie Dogs, pine martins, northern goshawk, yellow-billed cuckoo, Ute ladies'- tresses, Southwestern Willow Southwestern Willow Flycatcher, Bonytail, Colorado Pike minnow, Humpback Chub, Razorback

Sucker, Bald Eagles, Greater Sage Grouse, Northern Goshawk, Spotted Bat, Peregrine Falcon, Spotted Bat, Three-toed woodpecker, Townsend's big-eared bat, Bonneville cutthroat trout, Utah Colorado River Cutthroat Trout, Columbia River Spotted Frog, Southern Leatherside chub, Western Boreal Toad, Black Rosy-Finch, Brewer's Sparrow, Burrowing Owl, Calliope Hummingbird, Cassin's Finch, Ferruginous Hawk, Fox Sparrow, Gray Vireo, Juniper Titmouse, Lewis's Woodpecker, Loggerhead Shrike, Long-billed Curlew, Olive-sided Flycatcher, Pinyon Jay, Prairie Falcon, Sage Thrasher, Short-eared Owl, Virginia's Warbler, Western Grebe, Williamson's Sapsucker, Willow Flycatcher, Golden Eagle, Macroinvertebrates, Aquatic Insects, Mule Deer, Northern Goshawk, Rocky Mountain Elk, and Monarch Butterfly.

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Please disclose how often the Project area has been surveyed for the Would the habitat be better for Utah Prairie Dogs, pine martins, northern goshawk, yellow-billed cuckoo, Ute ladies'- tresses, Southwestern Willow Southwestern Willow Flycatcher, Bonytail, Colorado Pike minnow, Humpback Chub, Razorback Sucker, Bald Eagles, Greater Sage Grouse, Northern Goshawk, Spotted Bat, Peregrine Falcon, Spotted Bat, Three-toed woodpecker, Townsend's big-eared bat, Bonneville cutthroat trout, Utah Colorado River Cutthroat Trout, Columbia River Spotted Frog, Southern Leatherside chub, Western Boreal Toad, Black Rosy-Finch, Brewer's Sparrow, Burrowing Owl, Calliope Hummingbird, Cassin's Finch, Ferruginous Hawk, Fox Sparrow, Gray Vireo, Juniper Titmouse, Lewis's Woodpecker, Loggerhead Shrike, Long-billed Curlew, Olive-sided Flycatcher, Pinyon Jay, Prairie Falcon, Sage Thrasher, Short-eared Owl, Virginia's Warbler, Western Grebe, Williamson's Sapsucker, Willow

Flycatcher, Golden Eagle, Macroinvertebrates, Aquatic Insects, Mule Deer, Northern Goshawk, Rocky Mountain Elk, and Monarch Butterfly if the no action alternative was chosen?

Please provide us with the full BA for Utah Prairie Dogs, pine martins, northern goshawk, yellow-billed cuckoo, Ute ladies'- tresses, Southwestern Willow Southwestern Willow Flycatcher, Bonytail, Colorado Pike minnow, Humpback Chub, Razorback Sucker, Bald Eagles, Greater Sage Grouse, Northern Goshawk, Spotted Bat, Peregrine Falcon, Spotted Bat, Three-toed woodpecker, Townsend's big-eared bat, Bonneville cutthroat trout, Utah Colorado River Cutthroat Trout, Columbia River Spotted Frog, Southern Leatherside chub, Western Boreal Toad, Black Rosy-Finch, Brewer's Sparrow, Burrowing Owl, Calliope Hummingbird, Cassin's Finch, Ferruginous Hawk, Fox Sparrow, Gray Vireo, Juniper Titmouse, Lewis's

Woodpecker, Loggerhead Shrike, Long-billed Curlew, Olive-sided Flycatcher, Pinyon Jay, Prairie Falcon, Sage Thrasher, Short-eared Owl, Virginia's Warbler, Western Grebe, Williamson's Sapsucker, Willow Flycatcher, Golden Eagle, Macroinvertebrates, Aquatic Insects, Mule Deer, Northern Goshawk, Rocky Mountain Elk, and Monarch Butterfly.

Weeds

Native plants are the foundation upon which the ecosystems of the Forest are built, providing forage and shelter for all native wildlife, bird and insect species, supporting the natural processes of the landscape, and providing the context within which the public find recreational and spiritual opportunities. All these uses or values of land are hindered or lost by conversion of vegetation to invasive and noxious plants. The ecological

threats posed by noxious weed infestations are so great that a former chief of the Forest Service called the invasion of noxious weeds “devastating” and a “biological disaster.”

Despite implementation of Forest Service “best management practices” (BMPs), noxious weed infestation on the Forest is getting worse and noxious weeds will likely overtake native plant populations if introduced into areas that are not yet infested. The Forest Service has recognized that the effects of noxious weed invasions may be irreversible. Even if weeds are eliminated with herbicide treatment, they may be replaced by other weeds, not by native plant species.

Invasive plant species, also called noxious weeds, are one of the greatest modern threats to biodiversity on earth. Noxious weeds cause harm because they displace native plants, resulting in a loss of diversity and a change in the structure of a plant community. By removing native

vegetative cover, invasive plants like knapweed may increase sediment yield and surface runoff in an ecosystem. As well knapweed may alter organic matter distribution and nutrient through a greater ability to uptake phosphorus over some native species in grasslands. Weed colonization can alter fire behavior by increasing flammability: for example, cheatgrass, a widespread noxious weed on the Forest, cures early and leads to more frequent burning. Weed colonization can also deplete soil nutrients and change the physical structure of soils.

The Forest Service's own management activities are largely responsible for noxious weed infestations; in particular, logging, prescribed burns, and road construction and use create a risk of weed infestations. The technical equipment into the Forest creates and exacerbates noxious weed infestations. The removal of trees through logging can also facilitate the establishment of noxious weed infestations

because of soil disturbance and the reduction of canopy closure In general, noxious weeds occur in sites where prescribed fire previously occurred and forest openings from logging, but are rare in mature and old growth forests. Roads are often the first place new invader weeds are introduced. Vehicle traffic and soil disturbances from road construction and maintenance create ideal establishment conditions for weeds. Roads also provide obvious dispersal corridors. Roadsides throughout the project area are infested with noxious weeds. Once established along roadsides, invasive plants will likely spread into adjacent grasslands and forest openings.

Will the prescribed burning activities within the analysis area likely cumulatively contribute to increases to populations of weeds? As a disturbance process, fire has the potential to greatly exacerbate infestations of certain noxious weed species, depending on burn severity and

habitat type (Fire Effects Information System 2004). Soil disturbance, such as that resulting from low and moderate burn severities from prescribed fire and fire suppression related disturbances (dozer lines, drop spots, etc.), provide optimum conditions for noxious weed invasion. Dry site vegetation types and road corridors are recent ground disturbance (timber management, road construction) has occurred. Units proposed for burning within project area may have closed forest service access roads (jammers) located within units.

These units have the highest potential for noxious weed infestation and exacerbation through fire activities. Please provide an alternative that eliminates units that have noxious weeds present on roads within units from fire management proposals.

Please address the ecological, social and ascetic impact of current noxious weed infestations within the project area.

Include an analysis of the impact of the actions proposed by this project on the long and short term spread of current and new noxious weed infestations. What treatment methods will be used to address growing noxious weed problems? What noxious weeds are currently and historically found within the project area? Please include a map of current noxious weed infestations which includes knapweed, Saint Johnswort, cheat grass, bull thistle, Canada thistle, hawkweed, hound's- tongue, oxeye daisy and all other Category 1, Category 2 and Category 3 weeds classified as noxious in the Utah COUNTY NOXIOUS WEED LIST. State-listed Category 2 noxious weed species yellow and orange hawkweeds are recently established (within the last 5 to 10 years) in Montana and are rapidly expanding in established areas. They can invade undisturbed areas where native plant communities are intact. These species can persist in shaded conditions and often grow underneath shrubs making eradication very difficult. Their

stoloniferous (growing at the surface or below ground) habit can create dense mats that can persist and spread to densities of 3500 plants per square mile (Thomas and Dale 1975). Are yellow and orange hawkweeds present within the project area?

Please address the cumulative, direct and indirect effects of the proposed project on weed introduction, spread and persistence that includes how weed infestations have been and will be influenced by the following management actions: road construction including new permanent and temporary roads, and skid trails proposed within this project; opening and decommissioning of roads represented on forest service maps; ground disturbance and traffic on forest service template roads, mining access routes, and private roads; removal of trees through prescribed burns. What open, gated, and decommissioned Forest Service

roads within the project area proposed as haul routes have existent noxious weed populations and what methods will be used to assure that noxious weeds are not spread into the proposed action units?

Noxious weeds are not eradicated with single herbicide treatments. A onetime application may kill an individual plant but dormant seeds in the ground can still sprout after herbicide treatment. Thus, herbicides must be used on consistent, repetitive schedules to be effective.

What commitment to a long-term, consistent strategy of application is being proposed for each weed infested area within the proposed action area? What long term monitoring of weed populations is proposed?

When areas treated with herbicides are reseeded on national forest land, they are usually reseeded with exotic grasses, not native plant species. What native plant restoration

activities will be implemented in areas disturbed by the actions proposed in this project? Will disturbed areas including road corridors, skid trails, and burn units be planted or reseeded with native plant species?

The scientific and managerial consensus is that prevention is the most effective way to manage noxious weeds. The Forest Service concedes that preventing the introduction of weeds into uninfested areas is "the most critical component of a weed management program." The Forest Service's national management strategy for noxious weeds also recommends "develop[ing] and implement[ing] forest plan standards . . . ." and recognizes that the cheapest and most effective solution is prevention. Which units within the project area currently have no noxious weed populations within their boundaries? What minimum standards are in the Manti-La Sal National Forest Plan to address noxious weed infestations? Please include an alternative in the Final

EA or DEIS that includes land management standards that will prevent new weed infestations by addressing the causes of weed infestation. The failure to include preventive standards violates NFMA because the Forest Service is not ensuring the protection of soils and native alternative that includes preventive measures would violate NEPA because the Forest Service would fail to consider a reasonable alternative.

Rare Plants

The ESA requires that the Forest Service conserve endangered and threatened species of plants as well as animals. In addition to plants protected under the ESA, the Forest Service identifies species for which population viability is a concern as “sensitive species” designated by the Regional Forester (FSM 2670.44). The response of each of the sensitive plant species to management activity varies by species, and in some cases, is not fully known. Local

native vegetation has evolved with and is adapted to the climate, soils, and natural processes such as fire, insect and disease infestations, and windthrow. Any management or lack of management that causes these natural processes to be altered may have impacts on native vegetation, including threatened and sensitive plants. Herbicide application – intended to eradicate invasive plants – also results in a loss of native plant diversity because herbicides kill native plants as well as invasive plants. Although native species have evolved and adapted to natural disturbance such as fire on the landscape, fires primarily occur in mid to late summer season, when annual plants have flowered and set seed. Following fall fires, perennial root-stocks remain underground and plants emerge in the spring. Spring and early summer burns could negatively impact emerging vegetation and destroy annual plant seed.

What threatened, endangered, rare and sensitive plant species and habitat are located within the proposed project area? What standards will be used to protect threatened, rare, sensitive and culturally important plant species and their habitats from the management actions proposed in this project?

The project will be a NFMA violation because it will promote the demise of aspen stands by logging and burning out conifers without providing protection from livestock browsing.

The agency is violating the NEPA by claiming that conifer encroachment needs to be removed to promote aspen, when livestock grazing is almost always the problem with aspen failure to regenerate.

The agency is violating the NEPA by promoting fuel reduction projects as protection of the public from fire, when this is actually a very unlikely event; the probability

of a given fuel break to actually have a fire in it before the fuels reduction benefits are lost with conifer regeneration are extremely remote; forest drying and increased wind speeds in thinned forests may increase, not reduce, the risk of fire.

The agency is violating the NEPA by providing false reasons for prescribed burning to the public by claiming that insects and disease in forest stands are detrimental to the forest by reducing stand vigor (health) and increasing fire risk. There is no current science that demonstrates that insects and disease are bad for wildlife, including dwarf mistletoe, or that these increase the risk of fire once red needles have fallen.

The agency is violating the NEPA by claiming that prescribed burning is needed to create a diversity of stand structures and age classes; this is just agency rhetoric to conceal the

The agency is violating the NEPA by using vague, unmeasureable terms to rationalize the proposed burning to the public. How can the public measure “resiliency?” What are the specific criteria used to define resiliency, and what are the ratings for each proposed logging unit before and after treatment? How is the risk of fire as affected by the project being measured so that the public can understand whether or not this will be effective? How is forest health to be measured so that the public can see that this is a valid management strategy? What specifically constitutes a diversity of age classes, how is this to be measured, and how are proposed changes measured as per diversity? How are diversity measures related to wildlife (why is diversity needed for what species)?

If the reasons for burning cannot be clearly identified and measured for the public, the agency is not meeting the NEPA requirements for transparency.

The agency is violating the NEPA by claiming that prescribed burning will benefit wildlife; the UWCNF does not identify what habitat objectives will be addressed with burning, so the public is unable to understand how to comment on this claim.

The scoping notice and Reliance on Analysis and DRAFT Decision Notice provides little additional information on where logging and burnings will be or how the specifics on how the burning will occur. The project appears to be tearing to the Anadarko Vegetation Management Environmental Assessment which is a completly different project covering a different project areaa.This is a violation of NEPA, NFMA, the APA, and the ESA.

The Gilbert Creek Aspen Restoration proposal fails to provide meaningful information or analysis to the public, and thus prevents agency transparency in management of public lands. It is not clear why the Forest Service believes that such a large project is either needed, or can be meaningfully understood and reviewed by the public.

The Removal of conifers out from aspen stands within the Gilbert Creek Aspen Restoration Project Area will reduce forage resources for up to 20 or more bird species, but also remove forage for the red squirrel, an important prey species for the Northern Goshawk (Salafsky et al. 2005;

Salafsky et al 2007). Forest thinning has been demonstrated to reduce red squirrel populations (Holloway and Malcolm 2006).

A stated objective of treating aspen stands is to increase aspen regeneration, which is lacking. There is no discussion as to the ongoing livestock problem with aspen regeneration, and why this issue isn't being addressed with livestock management. Removing conifers will not stop cows from browsing aspen.

There is no inventory for old growth in the Gilbert Creek Aspen Restoration project area. The agency says this "inventory" will be done as the project is implemented. Thus the public has no information on old growth in this landscape. There may be considerable old growth that would be degraded/destroyed with this project but there is no mention of old growth in the NEPA documents for the project.

There is no analysis in the Forest Plan documents (environmental impact statements) that address old growth treatment impacts on wildlife. This would include 16 or more bird species present on the UWC National Forest (USDA 2018; USDA 1990):

> Boreal Owl, Flammulated Owl, Three-toed Woodpecker, Brown Creeper, Golden-crowned Kinglet, Hairy Woodpecker, Hammond's Flycatcher, Hermit Thrush, Lewis's Woodpecker, Pine Grosbeak, Pygmy Nuthatch, Red-breasted Nuthatch, White-breasted Nuthatch, Northern Pygmy Owl, Northern Goshawk, and Williamson's Sapsucker.

Four of these old-growth associated wildlife species are sensitive species on the UWC National Forest: Northern Goshawk, Boreal Owl, Flammulated Owl, and Three-toed Woodpecker. No monitoring data was cited, including with past projects, to measure old growth treatment impacts on these 4 sensitive species. As was noted in the project EA (Figure 3), goshawks on the UWC National Forest have been in significant decline for quite a few years; occupancy was about 50% of known territories in 2003, but only 10% in 2020. In spite of this ongoing significant impact, the agency did not define the current or planned habitat conditions for the goshawk in the Gilbert Creek Aspen Restoration Project Area. There are no descriptions of the structural stages (SS 1-6) for the project area, either currently or post-project. There is no discussion, as well, as to why current structural stages need to be modified to improve goshawk habitat. As previously noted, forest thinning will be highly detrimental to goshawks due to reductions of red squirrel populations. Benefits to this sensitive species could easily by measured, but instead,

were avoided. This brings into question the actual impact of this project on goshawks. The impacts of this project on goshawks is an essential analysis requirement for this project, given the severe declines of goshawks on this forest, as well as their dependence upon older, more dense forest stands for prey (Reynolds et al. 1992).

There were no habitat measures identified for the Gilbert Creek Aspen Restoration Project for any of these 4 sensitive species. It will be impossible to manage for any of them without habitat conservation measures. For example, the Targhee National Forest Revised Forest Plan (1997) included habitat measures for the 3 raptors. These includes providing at least 20% old growth for goshawk territories, and 40% old growth for Boreal Owl territories, with no activity allowed within a 30-acre nesting area for both the Boreal and Flammulated Owls. Given the extensive landscape fragmentation of natural habitat that will occur in the Gilbert Creek landscape, impacts to all 3 sensitive raptor species is highly likely. Also, there are no surveys planned or required for the Boreal and Flammulated Owls. The number of nesting areas that will be disturbed during the nesting season, and the acres of nesting habitat that will be destroyed with treatments, is unknown. Yet the agency has determined that this project will not have significant adverse impacts on these species.

We request that densities of sensitive species, such as the Boreal and Flammulated Owls, be estimated for the Gilbert Creek Aspen Restoration Project Area based on surveys done for other projects in this project area, including past and ongoing projects. If no wildlife surveys have been done, or will be done for these projects as well, the agency needs to identify this potentially severe cumulative impact to these species due to destruction and/or disturbance of nesting habitats.

The agency noted that goshawk surveys will be done at some time in the future. The results of these "potential surveys" cannot be provided to the public, in violation of the NEPA. Also, analysis of project impacts on goshawks cannot be based on surveys that have not yet been done. It is critical that the agency demonstrate to the public specifically how goshawks are being addressed as per treatment units. Also specific mitigation measures, including buffers, need to be mapped and time periods for protection also noted.

The agency also needs to identify any Golden Eagle nest sites in the Gilbert Creek Aspen Restoration area in order to comply with the Bald and Golden Eagle Protection Act. Nest buffers of 0.5 miles are recommended to prevent disturbances during the nesting season (Suter and Joness 1981). Protection of eagle nesting sites cannot be possible

without surveys. There have been no surveys for Golden Eagles in the Gilbert Creek Aspen Restoration Area.

The current best science recommends from 20-25% old growth forest neotropical migratory birds (Montana Partners in Flight 2000). Old growth recommendations for the Northern Goshawk, a sensitive species on the UWC National Forest, is 20% (Reynolds et al. 1992). Given that historical levels of old growth in the Northern Rockies was estimated from 20-50% (Lesica 1996), optimum levels of old growth for birds would likely be 50%, or consistent with historical levels over time. The Gilbert Creek Aspen Restoration Project is supposed to address the historical levels of habitat, including old growth. There is no mention of historical levels of old growth. Within planned treatment areas, it was noted in the old growth analysis of the EA that 4,908 acres out of 7,726 treatment acres could be old growth, which would be 64% of these units. It is possible that this landscape has a high quality for forest birds due to old growth habitat, and associated forested snag habitat. This would demonstrate the high value of roadless lands to wildlife, due to a lack of timber harvest and other treatments that destroy/reduce old growth values.

Crown fires are known to be essential for many birds. Hutto (1995) noted that at least 15 bird species were more abundant in recently-burned forests than unburn ed forests;

standing fire killed trees provided nest sites for at least 31 bird species. Hutto and Patterson (2016) studied bird nesting activity in various levels of burned forests over an 11 year period, and of 50 bird species, 60% of them were detected more frequently within rather than outside burned habitat. The agency in the Gilbert Creek Aspen Restoration Projec project NEPA analysis did not define why controlling crown fires is needed for wildlife.

Another reason that an EIS is need is to analyze the cumulative impacts is that the Gilbert Creek Aspen project represent a foreseeable large-scale loss and fragmentation of habitat for many sensitive species, declining migratory birds, native carnivores and other wildlife.

The Prescribed Fires turned wildfires in New Mexico - one of which was a pile burn that smoldered and then blew up - have highlighted serious risks with activities involved in this project. (I assume they will be pile burring in some of these aspen ’treatments”? An EIS is needed to analyze the threat of the prescribed fires getting out of control.

Please find attached, the Rosenberg paper on migratory bird declines which concluded, ***Our results signal an urgent need to address the ongoing threats of habitat loss, agricultural intensification, coastal disturbance, and direct anthropogenic mortality, all exacerbated by climate change, to avert continued biodiversity loss and potential***

collapse of the continental avifauna. The Gilbert Creek Aspen project needs to comply with the Migratory Bird Treaty Act and analyze the effect of the project on birds. The DDN and FONSI do not take a hard look at the potential impacts of the project. This is a violation of NEPA, NFMA, the APA, and the ESA.

Thank you for your time and consideration of our

comments.

Sincerely yours,

/s/

Mike Garrity

Executive Director

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