



September 21, 2026

Chad Stewart, Forest Supervisor and Reviewing Officer
Grand Mesa, Uncompahgre and Gunnison National Forests
2250 South Main Street
Delta, CO 81416

Filed electronically via <https://cara.fs2c.usda.gov/Public/CommentInput?Project=301395>

Re: Objection of Forest Service Employees for Environmental Ethics to the Draft Decision Notice and Finding of No Significant Impact for the South Uncompahgre Hazardous Fuels and Ecological Resiliency (SUHFER) Project — 36 C.F.R. Part 218, Subparts A and B

Dear Reviewing Officer Stewart:

Forest Service Employees for Environmental Ethics (FSEEE) objects to the Draft Decision Notice and Finding of No Significant Impact (Draft DN/FONSI) for the SUHFER Project. A twenty-year, 267,300-acre authorization is being issued on an analysis that defers the spatial facts driving its effects, rests its significance finding on design features that changed after public comment, and in several places says one thing to the public and another in its own technical reports. The objections below rest almost entirely on the agency's own documents.

I. Objector Information, Eligibility, and Scope

- **Objector and lead objector:** Kevin Hood, Executive Director, FSEEE, P.O. Box 11615, Eugene, OR 97440; (541) 484-2692; kevin@fseee.org. Signature appears below.
- **Project and Responsible Official:** SUHFER Project, Norwood and Ouray Ranger Districts, Grand Mesa, Uncompahgre and Gunnison National Forests; Megan Eno, District Ranger.
- **Documents objected to:** the Draft DN/FONSI; the Final EA and its Appendices A, B, E, and F; and the technical reports and Biological Assessment on which it relies.
- **Eligibility:** FSEEE filed timely, specific written comments on the Draft EA on April 24, 2026, logged in Appendix F as Commenter 6 (Matrix IDs 6-1 through 6-18). 36 C.F.R. § 218.5(a).

Scope. Parts II through VIII raise only issues from FSEEE's April comments, each cross-referenced to the Matrix ID under which the agency logged it (see Part XII). Where the Final EA supplies evidence unavailable in April, FSEEE relies on it in support of the same issue; new evidence on a preserved issue is not a new issue. Part IX raises changes made between the March 2026 Draft EA and the August 2026 Final EA and Draft DN. Those changes post-date the May 9, 2026 close of comment, none is disclosed in Appendix F's change log, and they fall within the § 218.8(c) exception for new information.

Two framing points. First, an agency must prepare an EIS for an action with a reasonably foreseeable significant effect, and may proceed by EA only where the action has no such effect or its significance is unknown. 42 U.S.C. § 4336(b)(1)–(2). In judging significance, the agency is to consider both beneficial and adverse effects, 7 C.F.R. § 1b.2(f)(3)(ii)(B), and the Responsible Official “shall consider” how any irreversible and irretrievable commitment of a Federal resource contributes to a loss of long-term productivity, § 1b.2(f)(3)(iii)(B). Neither “irreversible” nor “irretrievable” appears anywhere in the Draft DN/FONSI. Second, projects must be consistent with the Forest Plan, 16 U.S.C. § 1604(i); 36 C.F.R. § 219.15(d), yet the Draft DN's entire consistency finding is a single sentence. The sections below identify

the binding provisions the record does not show are met: FW-STND-SOIL-02, -TMBR-04, -TMBR-07, -RMGD-09.b, -SPEC-34/35, FW-GDL-TMBR-07.b, and MA-STND-CRA-03. FSEEE does not rely on the CEQ regulations (40 C.F.R. Parts 1500–1508, rescinded April 11, 2025) or the former 36 C.F.R. Part 220 (replaced by 7 C.F.R. Part 1b), and raises the CEQ regulations only where the Final EA relies on them (Part IX.E).

II. Failure to Address Proximate Effects

Under *Seven County Infrastructure Coalition v. Eagle County*, 605 U.S. 168 (2025), an agency remains responsible for the proximate effects of its own action. Canopy removal, prescribed fire, ground disturbance, and up to forty-eight miles of new road inside the project footprint are the paradigm case: these are not attenuated effects of some other actor’s later decision, but the immediate physical consequence of the authorization. *Seven County* counsels deference to an agency’s reasoned choices about scope and detail, but it does not displace arbitrary-and-capricious review. *Oregon Wild v. U.S. Forest Service*, No. 1:22-cv-01007-MC, slip op. at 20–21 (D. Or. Jan. 13, 2026). The Final EA does not analyze several of them.

A. Road density: the agency’s own indicator moves the wrong way (Matrix IDs 6-5, 6-6)

Having chosen road density in place of any sediment modeling, the agency is bound by what that indicator shows. Comparing Watershed Tables 4-9 and 4-10, the Project raises road density in seven subwatersheds. Three change condition class or reach a class boundary: Happy Canyon Creek (0.99→1.16) and Middle Horsefly Creek (0.96→1.31) move from Proper Functioning to Functioning at Risk, and Middle Spring Creek (2.03→2.40) reaches the Functioning Impaired boundary. Stream crossings rise by thirty-nine in the short term. Neither the Final EA nor the Draft DN discloses any of this. The net-benefit answer at 6-5 depends entirely on decommissioning thirty-eight miles of non-system routes, which the technical report conditions on funding “as funding becomes available” — a qualifier the Final EA drops (Part IX.F). The harm begins when each road is cut, while the benefit depends on money not appropriated and reaches none of the five subwatersheds already impaired. The agency also cites Davis et al. (2024) but omits its finding that treatment effectiveness declines more than twofold when wildfire arrives more than ten years after treatment, well inside this twenty-year window.

B. Soils: a mandatory standard conceded at risk, then left unmeasured (Matrix IDs 6-6, 6-13)

FW-STND-SOIL-02 caps detrimental soil conditions at fifteen percent of an activity area. The Watershed Technical Report states that if the full Estimated Implementation Plan were treated the threshold “could be exceeded” in a subset of activity polygons, “particularly” in the Big-Bucktail Creek–San Miguel River and McKee Draw–Naturita Creek subwatersheds, and then declines to quantify because activity polygons do not yet exist. Where information is incomplete or unavailable, the agency is to make that plain in the environmental document itself, 7 C.F.R. § 1b.9(j); here the Final EA says nothing of the kind. Appendix F at 6-13 omits that finding and assures FSEEE that PDF WAT-5 “will limit” disturbance to fifteen percent. A standard is applied per activity area against a measured baseline. Where the activity area does not exist, neither does meaningful analysis, and compliance cannot be verified by anyone — least of all the public, before the decision is signed. The Forest Service may not authorize the project and verify soil compliance afterward. *Ecology Center v. Austin*, 430 F.3d 1057, 1071 (9th Cir. 2005), applied in *Center for Biological Diversity v. U.S. Forest Service*, No. CV 23-110-M-DWM (D. Mont. Dec. 11, 2025).

C. Impaired waters, Outstanding Waters, and fens (Matrix IDs 6-5, 6-14)

The Watershed report concedes the Project could increase selenium loading to waters draining to the Uncompahgre River, then answers a different question: whether the count of 303(d)-listed miles will change. It cannot, because those waters are already listed. Whether loading to impaired waters increases — the question FW-DC-WTR-03 frames — is never analyzed. The report likewise states that Outstanding Waters status prohibits permanent degradation, then never measures the Project against it for the ninety

miles of Tabeguache Creek so classified. FSEEE raises this as a disclosure failure, not as a claim that the Forest Service administers the State rule.

On fens, the agency answered at 6-14 by pointing to pre-implementation surveys and riparian requirements. FW-STND-TMBR-04 bars harvest where watershed conditions, “including groundwater-dependent ecosystems, such as fens,” may be irreversibly damaged, “as identified in project-specific findings.” No such project-specific findings exist, and the Watershed report concedes low remote-sensing confidence and up to 120 acres of potential fen in Headwaters Tabeguache Creek alone. A future survey commitment is not a project-specific finding. FW-STND-RMGD-09.b, which prohibits landings, skid trails, piles, and machine line in fen riparian zones, shows what is at risk from deferred analysis: a fen destroyed by a landing does not re-form in a human lifetime. That is precisely the irreversible commitment of a resource the significance rationale must address, 7 C.F.R. § 1b.2(f)(3)(iii)(B), and the Draft DN/FONSI never addresses irreversibility.

D. Greenhouse gases (Matrix ID 6-18)

FSEEE does not contend that this Project’s emissions are large in absolute terms, and it does not ask the agency to solve climate change in an EA. The objection is to an asymmetry. The Final EA dismisses emissions as “negligible” compared to existing atmospheric concentrations — a comparison against which no project of any size could ever register — without estimating them or converting the 10,300 CCF annual harvest to carbon, though the report cites a Colorado statewide inventory that would have served. It then credits an avoided-wildfire carbon benefit that is equally unquantified. The significance analysis is to consider both beneficial and adverse effects. 7 C.F.R. § 1b.2(f)(3)(ii)(B). The agency should quantify both or claim neither.

E. Cumulative effects (Matrix ID 6-13)

Lands Council v. Powell, 395 F.3d 1019, 1028 (9th Cir. 2005), requires a catalogue of past, present, and reasonably foreseeable future projects detailed enough to permit an informed assessment of how those projects, and the differences among them, bear on the environment. The agency admits the Final EA does not specifically address cumulative effects to Gunnison sage-grouse designated critical habitat — the only designated critical habitat in the Project area. The added roadless cumulative analysis rests on the 190-acre framing addressed in Part V, and the soils analysis is expressly non-quantitative. A resource omitted, an acreage understated, and an effect the agency declines to quantify cannot satisfy that standard.

III. The Spatial Certainty Mandate vs. Unlawful Spatial Ambiguity (Matrix IDs 6-2, 6-4, 6-9)

An agency may not authorize now and verify later the spatial details that drive environmental effects. *Ecology Center v. Austin*, 430 F.3d 1057, 1071 (9th Cir. 2005); *Southeast Alaska Conservation Council v. U.S. Forest Service*, 443 F. Supp. 3d 995 (D. Alaska 2020). Condition-based management survived review in *North Cascades Conservation Council v. U.S. Forest Service*, 136 F.4th 816, 829–30 (9th Cir. 2025), but only because the agency there identified specific treatment methods and supplied unit-by-unit maps of the maximum effects of each treatment — and even then the court called it a close question. Where the maps show only broad treatment categories, the analysis is too vague. *Alliance for the Wild Rockies v. U.S. Forest Service*, 2025 WL 2655984, at *8 (E.D. Wash. Sept. 16, 2025). Last December a court vacated a 16,462-acre condition-based project in part on the same ground, holding that the agency could not assess effects on secure habitat without knowing where its 56.8 miles of temporary road would go, because “it is the precise location of those roads, not their total mileage, that determines the impact . . .” *Center for Biological Diversity v. U.S. Forest Service*, No. CV 23-110-M-DWM (D. Mont. Dec. 11, 2025). SUHFER sits on the wrong side of that line. The Draft DN’s Selected Alternative Figure (DN-26) is the whole of the decision’s spatial disclosure. Drawn at a scale of five miles, it distinguishes six categories: the silvicultural area of opportunity, the Estimated Implementation Plan, hazard fuels linear and polygon features, and wildlife

habitat improvements in pinyon-juniper and in sagebrush. It shows no prescription or treatment type within any unit, no cover types, no temporary roads, and no roadless boundaries. That is the kind of map *Alliance* found too vague — locations for broad categories — not the unit-by-unit mapping of each treatment's maximum effects that carried the day in *North Cascades*.

Road locations are settled with the purchaser after contract award. The agency answered at 6-4 that the EA front-loads analysis by evaluating maximum potential effects. Its Transportation Technical Report says “[f]inal locations would be determined after contract award upon agreement between representatives of the Forest Service and purchaser,” and Appendix E says the same. That is authorize-now, verify-later in the agency’s own words. The Final EA confirms as much. Answering another commenter at 7-5, the agency states that a map of temporary road locations “has been produced and added to the project record, which is available upon request,” and that the routes “are not finalized until agreed upon by a Forest Service representative and the timber purchaser’s representative.” FSEEE has obtained that map (Exhibit B), titled “SUHFER Potential Temp Roads.” The Forest Service released it to an interested party on request who shared it with the Center for Biological Diversity, and CBD provided it to FSEEE. The SUHFER Potential Temp Roads map is not in the Final EA, the Draft DN, or the technical reports; it was never published, and during the comment period it could be obtained, if at all, only by a records request. Twice now, the Project’s road information has reached the public only because a third party asked for it. The map also does not change the structure: its routes are labeled “potential,” it is drawn at a scale of miles, it shows no roadless boundaries, streams, fens, Outstanding Waters, subwatershed boundaries, or activity areas, and it states no mileage. A map held in a record available on request is not disclosure, and it is not a designation of approximate locations in the decision. Material the analysis relies on and incorporates by reference “must be reasonably available for inspection . . . by potentially interested persons within the time allowed for comment.” 7 C.F.R. § 1b.9(e)(7)(ii). Material obtainable only by request is not reasonably available. FW-GDL-TMBR-07.b calls for approximate locations to be identified during site-specific analysis and for the decision to specify intended uses, so that roads are appropriately designed, used, and decommissioned. A guideline may be departed from only if its purpose is met. 36 C.F.R. § 219.7(e)(1)(iv). A landscape map of potential routes the purchaser may later move, adopted by a decision that specifies no road’s use, does not meet that purpose. Road-derived sediment is a principal watershed dispute regarding this project, and the final placement of the roads that govern it remains outside public review.

The agency describes its own analysis two incompatible ways. At 6-9 it invokes 36 C.F.R. § 800.14 for undertakings “where the full scope of effects cannot be determined at the time of decision.” At 6-2 it says the EA is not programmatic and that condition-based management “does not defer analysis to future tiered NEPA reviews.” Its technical reports resolve the tension against the FONSI. The Specially Designated Areas report says treatment locations “have not been identified at this point,” and the Watershed report says detrimental soil disturbance per activity area “is not quantitatively assessed” because activity polygons come later. On August 22, 2025, the Forest Supervisor wrote, in a FOIA response copied to the Responsible Official (Exhibit A), that estimated road locations were “estimates for purposes of analysis in the programmatic Environmental Assessment” and that “[f]inal locations would be determined during phased implementation.” That letter pre-dates the Draft EA by seven months, so it is not a post hoc characterization; and FSEEE does not argue that a label controls. The point is that on either characterization the analysis is incomplete. A programmatic document defers site-specific review to a later NEPA step the agency says will not occur, and a project-level document must contain site-specific analysis the agency says does not yet exist. The project-record map depicts the road estimates at landscape scale, but neither it nor the underlying spatial data has been published. The Project geodatabase available to FSEEE (SUHFER_Public.gdb) holds four layers — the project boundary, the timber area of operations boundary, the hazard fuels mitigation zone, and the Estimated Implementation Plan — and its files carry a July 7, 2025 date, more than a year before the Final EA. It contains no road, roadless-boundary, treatment-unit, or prescription layer: none of the data that would let the public test the routes against

roadless tiers, fens, and Outstanding Waters, and nothing resembling the unit-by-unit mapping of maximum effects by treatment type that *North Cascades* required.

The only post-decision safeguards assess nothing. The Draft DN points to an Appendix E “public notification period.” Appendix E provides a checkbox reading “Public Notification completed,” with no comment period, content, or duty to respond. The checklist’s own stated purpose was changed after comment from assessing site-specific impacts to limiting them (Part IX.C).

A site-specific determination the Plan requires has not been made. FW-STND-TMBR-07 permits even-aged harvest only where the Responsible Official has determined it appropriate in the project record, following interdisciplinary review and “based on site-specific conditions.” Appendix A authorizes seed tree and shelterwood systems, yet the agency stated at 7-20 that “[a]ll treatment prescriptions . . . will be determined by pre-implementation surveys.” FSEEE does not dispute that the record discusses even-aged systems by cover type. The question is where the record identifies which stands receive even-aged treatment and what site-specific conditions support it. A promise of future compliance is not compliance: “[t]he duty to demonstrate Forest Plan consistency applies at the time of the decision, not at a speculative future date.” *WildEarth Guardians v. Jeffries*, 370 F. Supp. 3d 1208, 1234 (D. Or. 2019), quoted in *Center for Biological Diversity*, supra (vacating a project whose design features deferred standard-compliance findings). Relatedly, the Final EA adds a 50,000-acre silviculture cap, which FSEEE welcomes, but leaves the ecosystem-level maximum-treatment envelope in Silviculture Table 1 at 65,500 acres. The cap limits how much; nothing limits where. Nor does the Project data say what. Appendix A assigns prescriptions by cover type, yet in the geodatabase’s Estimated Implementation Plan layer 69 of 184 polygons — 10,174 acres, 48 percent of the plan’s 21,158 acres — carry no cover type at all, and 100 polygons covering 12,393 acres carry no stand attributes of any kind. Appendix D’s “Simplified Vegetation Groups” map (Figure 5, at D-2) shows modeled vegetation classes across the project area, in categories that track the management card types. FSEEE credits it, but it does not close the gap. It is drawn at a scale of miles, it maps modeled groups rather than stand conditions, and it does not depict the Estimated Implementation Plan polygons at all, so a reader can at best estimate by eye which class underlies a given unit. More to the point, assigning a cover type — and with it a management card and a prescription — is the agency’s determination to make and record, not the public’s to infer from a shaded landscape map. For nearly half the acreage of its own implementation plan, the agency has not recorded it. That is the same deferral FW-STND-TMBR-07 forbids, expressed as a blank field. The gap runs deeper than cover type. Appendix A directs different treatments in the cooler/wetter and warmer/drier portions of the same vegetation type — group selection in cooler/wetter stands, for instance — and the that layer carries no such attribute either.

IV. Violation of the Babbitt Standard (Matrix IDs 6-6, 6-16)

“A perfunctory description, or mere listing of mitigation measures, without supporting analytical data, is insufficient to support a finding of no significant impact.” *National Parks & Conservation Ass’n v. Babbitt*, 241 F.3d 722, 734 (9th Cir. 2001). The Draft DN states that “inclusion of additional text, analysis, and design features” is what showed no significant impacts. That is mitigation supplying the finding, and it triggers the *Babbitt* burden.

The record does not carry that burden. Asked at 6-6 for analytical data showing that the watershed design features work, the agency pointed to more features, pre-implementation surveys, and the Implementation Checklist. No effectiveness monitoring data is offered for any feature in the Project. An agency’s bare assertion that its judgment rests on experience and expertise is not a substitute for explaining the basis of the judgment, and a reviewing body “cannot defer to a void.” *Oregon Wild v. U.S. Forest Service*, No. 1:22-cv-01007-MC (D. Or. Jan. 13, 2026) (quoting *Oregon Natural Desert Ass’n v. Bureau of Land Management*, 625 F.3d 1092, 1121 (9th Cir. 2010)) (setting aside a categorical exclusion for want of a reasoned decision). Across Appendix B’s 137 design features, “should” appears 71 times and “consider” 14, against

“shall” 13 and “must” 6. Four Canada lynx features were deleted after the close of comment without disclosure (Part IX.B).

The large-tree assurances are weaker still. In Table 5 the Final EA dismisses a diameter-cap alternative in part by quoting PDF WLF-26, which directs the official to “consider best available guidance” and says treatment “should generally maintain old forest characteristics” — and which applies to pinyon-juniper. The agency concludes from it that old forest would be retained “within spruce-fir vegetation types and within pinyon-juniper.” Those are not the types where Silviculture Table 1 places up to 36,000 acres of maximum potential treatment in ponderosa pine and warm-dry mixed conifer.

Meanwhile the one numeric direction in the Project cuts the other way. Appendix A’s seed tree and shelterwood cards favor retention of the largest trees at the establishment cut, then direct at final removal, six times across the cool-moist mixed-conifer, aspen-conifer, and ponderosa pine/warm-dry mixed-conifer rows:

Final: Remove coniferous trees >12" dbh across stand. Protect and maintain younger residual stand during operations. Retain trees with mature form characteristics.

This is the only numeric diameter direction in the Project, and it is a removal threshold mandating removal of the largest trees. “Mature form characteristics” is undefined and carries no retention target, unlike the establishment phase. Nor is final removal beyond this authorization: Appendix A states that stands already prepared for final removal “would undergo the final removal step” under this Project. Baker (2017), the agency’s own reconstruction of this plateau, identifies trees over sixteen inches as the essential persistent component, needed every 50–100 meters, because they survive fire and reseed. A prescription whose last phase removes every conifer over twelve inches cannot produce that structure. In text added to Table 5 after comment (Part IX.D), the agency also said it would use Forest Plan Appendix 6 for guidance on mature trees. Appendix 6 sets old-forest upper-canopy minimums of eighteen inches for ponderosa pine, sixteen for warm-dry and cool-moist mixed conifer, and fourteen for aspen — the types the cards govern. The twelve-inch removal threshold sits below every one of them. The Final EA never identifies, quantifies, or maps old forest, and the Silviculture report never mentions Appendix 6. The Estimated Implementation Plan was also built by filtering for late-seral stands, and every polygon in the Estimated Implementation Plan layer that carries a structural stage at all is 4B or 4C. The selection targets the oldest stands and the prescription removes their largest trees. Per *Babbitt*, the agency must identify which features are binding and show, with data, that they work.

V. The Colorado Roadless Rule (Matrix ID 6-7)

The FONSI judges roughly four percent of the roadless treatment it authorizes. The Final EA and the Specially Designated Areas report (p. 15) disclose up to 4,540 acres of wildlife habitat treatment in Colorado Roadless Areas (CRAs), on top of 190 acres of fuels treatment in Windy Point, for 4,730 acres total. The Draft DN’s FONSI table discloses only the 190 acres and finds no long-term adverse effect against that figure. A significance finding is a judgment about a magnitude; this one was made against the wrong magnitude, and incorporation by reference cannot supply a judgment never made.

The tier acreages cannot all be true. Final EA Table 10 gives Naturita Canyon 4,433 upper-tier and 165 non-upper-tier acres, yet 1,391 acres of sagebrush treatment is assigned to its non-upper tier. The report’s 10,272-acre upper-tier total depends on the 4,433 figure, so the columns cannot simply be transposed. If the treatment lies in upper tier, up to 1,556 acres would be there. To the extent that treatment removes encroaching pinyon and juniper, 36 C.F.R. § 294.42(b) confines upper-tier cutting to incidental or personal and administrative use, and the § 294.42(c)(3) restoration exception the agency invokes does not reach upper-tier acres. To the extent it removes no trees, no exception was needed — which raises its own question about what the June 4, 2025 Deputy Regional Forester approval covered. Either way the

contradiction must be resolved, and that approval, made against a tier allocation the agency has stated three ways, must be produced and re-examined.

The required determination is not in the public record. Section 294.42(c) requires a determination that one or more roadless characteristics will be maintained or improved over the long term, and MA-STND-CRA-03 and § 294.40 independently require that activities be designed to conserve those characteristics. The June 2025 approval is referenced but not produced. Table 11, the only public document purporting to address the characteristics, finds effects “not anticipated,” while the same report concedes the exception “may have some effects.” Table 11 limits scenic impacts to the same 190 acres and marks characteristic 9 (locally unique characteristics) “Not Applicable” in roadless areas containing Outstanding Waters, two conservation sites, and a municipal watershed the agency cannot name (Final EA n.112). Section 294.41 describes the characteristics in the present tense and as an open list; they are not frozen at a 2012 inventory.

Section 294.45(a) is never addressed. The Rule requires an EIS for proposed actions that “would significantly alter the undeveloped character of a Colorado Roadless Area.” Neither “294.45” nor “undeveloped character” appears in the Final EA, Draft DN, or SDA report. FSEEE credits that no road construction is proposed in any CRA. But § 294.45(a) is not a roads provision; vegetation removal and mechanized disturbance across roughly twenty-one percent of the 22,210 CRA acres in the project area can alter undeveloped character. The record also describes the Windy Point treatments inconsistently: the SDA report lists mastication and then says all treatments would be by hand, while the Draft DN describes 190 acres of mastication. FSEEE does not ask the Reviewing Officer to find the threshold crossed. It asks that the Responsible Official make the determination expressly, against 4,730 acres and a settled tier allocation, before deciding. A written determination can be reviewed; silence cannot.

VI. Purpose and Need, Baseline, and the Rule of Reason

Reasonable alternatives must be rigorously explored and objectively evaluated, and an alternative may not be dismissed on a rationale the record does not support. *Colorado Environmental Coalition v. Dombeck*, 185 F.3d 1162, 1174 (10th Cir. 1999).

A. The departure baseline (Matrix IDs 6-12, 6-15)

The Fire and Silviculture reports cite high-severity intervals of roughly 140–190 years in mixed conifer, then state that the area has seen little fire for about 130 years. That interval falls inside the cited range, and the two statements are never reconciled. The agency’s own site-specific source, Baker (2017) Table 4, reconstructs zero low-severity fire and high-severity rotations of 144–194 years in ponderosa pine and dry and moist mixed conifer, and concludes that these ponderosa landscapes are still recovering from nineteenth-century severe fires. FSEEE accepts that structure, not time since fire, is the better departure metric, and that the Plan’s Table 4 intervals (10–40 years for ponderosa pine; 20–50 for warm-dry mixed conifer) support substantial departure in the dry types, where most EIP acreage lies. The premise is weakest in cool-moist mixed conifer, where the Plan’s 50–200-year interval contains the 130-year gap, yet the seed tree and shelterwood cards — the Project’s heaviest prescription — apply. For aspen-conifer, also a card type, the Fire report’s historic-condition column reads “No data,” so departure cannot be computed. Neither the Final EA nor the Draft DN explains how departure ratings govern prescription intensity. The vulnerability mapping the Final EA leans on for this assessment has its own problems. Appendix D’s species maps are keyed to classes the Final EA never defines — “Lost,” “Threatened,” “Persistent,” and, at Figure 22, a bivariate legend whose axis is “higher analog agreement,” a term the document does not use elsewhere. More concerning, Figure 20 (D-17) maps “Western Juniper” and shows much of the project area as threatened. Western juniper does not occur in Colorado; the Project’s woodlands are Utah juniper and Rocky Mountain juniper. Either the map is mislabeled or the model was run on the wrong species, and pinyon-juniper is a treatment type here. An agency should identify the methodologies it used and the sources relied on for its conclusions. 7 C.F.R. § 1b.9(h)(3). Finally, at 6-15

the agency pointed FSEEE to Baker (2020), a San Juan Mountains study, without mentioning the on-plateau Baker (2017) it commissioned and relied on. A response that directs the commenter away from the best-matched evidence is not a reasoned one.

B. Alternatives, including the fire-first alternative the agency dismissed by assertion (Matrix IDs 6-10, 6-11, 6-12)

FSEEE credits the agency's concession at 6-10 that its dismissal of a non-commercial alternative was worded to rely "primarily" on economic feasibility, "which alone is generally not a sufficient basis," and credits the added forty-meter defensible-space alternative. Problems remain. The replacement rationale in Table 5 is also economic: commercial contracts are needed to mobilize equipment and fund roads. The sixteen-inch diameter cap is dismissed on an unsupported assertion of "extremely high bark beetle infestation risk," although at 6-12 the agency called the beetle-fire literature unsettled. The sensitive-watersheds alternative is dismissed in Table 5 because design features mitigate the risk — the same features Part IV shows are unsupported — and the smaller-road-system alternative because the Proposed Action is already the "minimum" mileage, an assertion made before the Final EA raised new road mileage by four miles without analysis (Part IX.A).

The most consequential dismissal is the fire alternative. FSEEE's April comment proposed pairing defensible space within forty meters of structures with prescribed burning for ecological objectives (6-11). The agency answered that prescribed burning alone, without mechanical density reduction, road access, and stand structure modification, would not address landscape-scale fire risk or ecological departure. No analysis in the Final EA supports that assertion; it is offered, and then the alternative is gone. FSEEE supports restoring fire to fire-evolved landscapes, through prescribed fire and, where conditions allow, managed natural ignitions. The Project's stated problem is a century of fire exclusion. The direct and proportionate response to fire exclusion is fire inclusion — not forty-eight miles of new road and two decades of commercial harvest, whose watershed costs are chronic while treatment effectiveness decays within ten years. Baker (2017) makes the same point from the other direction, describing severe fire on this plateau as a recurrence of an inherent ecological process rather than a failure. FSEEE does not ask the agency to abandon mechanical treatment near homes and infrastructure. It asks that a fire-first alternative be analyzed in detail, with its own effects and costs disclosed, rather than dismissed on an unsupported premise. The record shows the agency is already partway there: the Final EA states that outside the Hazard Fuels Mitigation Zone, naturally caused fires may be managed toward desired conditions. What it does not do is analyze that tool as an alternative. The Tabeguache Area is the clearest case. The Final EA excludes all treatment there, citing MA-STND-TABROU-06, which prohibits the uses barred by section 4(c) of the Wilderness Act — roads, motor vehicles, mechanical transport, motorized equipment, aircraft landing, and installations. That standard does not prohibit fire. MA-DC-TABROU-01 points the other way, describing an area whose natural disturbance regimes, fire among them, generally occur without human intervention. Nor does section 4(c) itself bar fire. The Wilderness Act contemplates measures necessary for fire management, 16 U.S.C. § 1133(d)(1), and Forest Service direction for designated wilderness — the stricter case — expressly provides for prescribed fire there, including lightning ignitions allowed to burn under prescribed conditions. FSM 2324.22. That direction prefers the lightning path: manager-ignited fire is not to be used where lightning-caused fire can achieve the objectives. FSM 2324.22(8). What the direction requires is documentation — objectives and guidelines for fire recorded in the forest plan, and preplanned conditions under which a lightning fire may burn. The Tabeguache Area is managed to the section 4(c) prohibitions but is not designated wilderness, so it is an easier case than the one that direction addresses. FSEEE's ask is correspondingly narrow: not manager-ignited burning for resource objectives inside the Area, but the conditions under which a natural ignition may be allowed to do the work the Plan's own desired condition describes. What is missing is not authority to use fire but analysis of whether and how to. The agency should explain why fire was excluded along with the machinery, confirm whether managed natural ignition remains available inside the

Tabeguache Area, and identify the preplanned conditions under which a lightning-caused fire there may be managed toward that desired condition.

C. Scale and the EIS threshold (Matrix IDs 6-1, 6-2)

FSEEE accepts that acreage alone does not compel an EIS. Its comment was comparative: this forest prepared a full EIS for the Spruce Beetle Epidemic and Aspen Decline Management Response (SBEADMR), a smaller project using the same adaptive framework. SBEADMR appears in the Final EA only inside summaries of commenters' comments, and no response engages the comparison. The agency also asserts at 6-2, without citation, that a comparable condition-based EA on the Arapaho and Roosevelt National Forests was "upheld." FSEEE requests that authority.

VII. Incomplete Consultation (Matrix IDs 6-3, 6-8)

Table 11 says Tribal consultation began in April 2025 and no feedback has been received, carried verbatim from the Draft EA. Appendix F at 6-8 says the same. The Draft DN says consultation "was completed." Table 11 also finds *beneficial* effects on traditional cultural properties and sacred sites in the same entry that admits no Tribe has responded. That is a substitute for good-faith consultation under 54 U.S.C. § 306108 and 36 C.F.R. Part 800, not the product of it. (FSEEE accepts SHPO's May 2026 concurrence on phased Class III survey.)

The Draft DN likewise states that ESA consultations were completed, but the March 2026 Biological Assessment contains no concurrence and the Final EA says it is still being revised. A "not likely to adversely affect" determination is incomplete until the Service concurs in writing. 50 C.F.R. § 402.14(b)(1). FSEEE credits the commitment at 6-3 to obtain concurrence before any decision, and asks that both statements be corrected. The revised Biological Assessment and any concurrence should also account for the Service's final revised lynx critical habitat rule, 91 FR 43732 (eff. Aug. 17, 2026), which post-dates the Biological Assessment.

VIII. Corrections to FSEEE's April Letter

FSEEE withdraws or corrects the following. The agency is right at 6-5 that the Water Quality and Aquatic Biota ratings are distinct indicators. The five-percent Primitive ROS class is a winter designation (6-17). No new road is proposed in the five most heavily roaded subwatersheds. Two Plan provisions quoted in April § IV.D do not appear in the 2024 Plan in those words, and FSEEE now relies on the provisions cited above. SBEADMR is not wholly absent from the record, as stated in Part VI.C.

IX. The Mandatory Supplementation Trigger: Changes After the Close of Comment

USDA's NEPA procedures require a responsible official to reevaluate an environmental document when the agency makes substantial changes to the action, or when new circumstances or information bear on it, with potential to alter the disclosure of adverse effects. 7 C.F.R. § 1b.9(r). For a document other than a filed EIS, if the updates substantially change the action or substantially alter the disclosure of adverse effects, the official "shall supplement the published environmental document and shall consider whether the updates warrant a higher level of NEPA review." § 1b.9(r)(2)(ii); minor corrections must at least be documented and posted with the original. § 1b.9(r)(2)(i). That rule governs changes made after a decision, while implementation is underway. The changes below were made before any decision, between the document the public commented on and the one the Responsible Official proposes to sign. If a post-decision change of this kind triggers supplementation and a fresh look at whether an EIS is warranted, a pre-decision change of the same kind cannot require less. Each change or new circumstance below post-dates the May 9, 2026 close of comment, and none appears in Appendix F's change log.

A. The decision authorizes 48 miles of new road; every analysis evaluates 44

The Draft EA proposed 44 miles of new temporary road. The Final EA's operative Proposed Action and the Draft DN's project description now say 48, a figure that appears nowhere in the Draft EA. The project-record road map states no mileage and does not resolve the difference.

Source	New temporary road
Draft EA, Ch. 2 (March 2026)	44 miles
Final EA, Ch. 2 Proposed Action; Draft DN project description	48 miles
Final EA Ch. 3 (Transportation, Watershed, Climate); Appendix F (6-4, 6-5, 6-6)	44 miles
Transportation, Watershed (Tables 4-10, 4-11), and Climate technical reports	44 miles
Draft DN FONSI table; Notice of Opportunity to Object	44 miles

Thirty-eight plus forty-eight is eighty-six, not the "up to 82 miles" stated in the same sentence. Four miles of road that no resource analysis evaluated are authorized in a project whose central dispute is road-related watershed impact, and the legal notice starting the objection clock describes the smaller figure. The remedy is conformity to 44 miles or supplementation; that cure resolves this issue only, not road location (Part III) or the indicator effects of the analyzed 44 miles (Part II.A).

B. Four Canada lynx design features were deleted without disclosure

The Draft EA's Appendix B contained WLF-28 through WLF-30 and WLF-32: the Southern Rockies Lynx Amendment (SRLA) applicability rule, landscape connectivity retention and cover-board surveys, the thirty-percent Lynx Analysis Unit ceiling, and the one-percent cap on treatment in high-quality habitat. The Final EA keeps the "Canada Lynx" heading but places sage-grouse and pollinator measures beneath it. Only the dense-horizontal-cover provision survives, as WLF-35. "Southern Rockies Lynx Amendment," "Lynx Analysis Unit," "VEG S6," and "VEG S8" no longer appear in the Final EA body. The deletion is disclosed nowhere.

FSEEE does not dispute the habitat science in Squires et al. (2024), and does not contend that the Project area lies within designated lynx critical habitat. The Draft EA's own WLF-28 made relief contingent: the LAUs would be removed, and SRLA direction and related features would not have to be applied, "[i]f the proposed Critical Habitat becomes officially designated Critical Habitat **as currently proposed.**" The Service published the final revised designation on July 16, 2026, effective August 17, 2026. 91 FR 43732. What issued is not what was proposed: the Service reduced the Southern Rockies unit by 2,642 square miles, removed the Greater Yellowstone Area and the New Mexico areas entirely, and redrew the Southern Rockies polygons to the final published Squires et al. (2024) model. Answering a Colorado national forest's own comment, the Service explained that the Western Lynx Biology Team's (2022) Southern Rockies tier polygons had been built on an earlier draft of that model, and that it revised its polygons to the published version. The Final EA meanwhile tells the public at response 7-13 that the designation "is still only proposed at this time" and is expected to be adopted "likely after additional reductions." That statement no longer describes the record.

Two points follow. First, critical habitat is not what makes the SRLA apply: SRLA direction binds this Project through the Forest Plan, FW-STND-SPEC-34 and -35, and attaches to mapped lynx habitat and Lynx Analysis Units rather than to an ESA designation. However the July 2026 rule came out, it did not amend the Plan, and it was the agency's own remapping that removed the Traver Mesa and Spring Creek LAUs. If that remapping rests on the superseded tier polygons rather than the published model the Service itself moved to, the deletion of project-level protections rests on science the Service has since revised. Second, the Final EA still cross-references SRLA direction it no longer contains (WLF-27; the ALL S1 snag footnotes), and VEG S6's only silvicultural exception reaches uneven-aged management, while seed tree and shelterwood are even-aged. The deleted features were what would have compelled that

determination in mapped lynx habitat. A mitigated FONSI cannot rest on a design-feature package that changed without notice.

C. The implementation checklist was changed from assessing impacts to limiting them

The Draft EA said the checklist exists to “effectively **assess** the site-specific impacts” of condition-based management. The Final EA and Draft DN now say it exists to “effectively **limit** the site-specific impacts . . . to the extent analyzed in this EA.” The agency invokes the checklist at 6-4, 6-5, 6-6, and 6-13 as its answer to deferral. By its own revised terms, no site-specific effects assessment occurs after the decision.

D. Appendix F misreports the response to comment 6-16

Response 6-16 states that no language was added to the Final EA. Table 5 in fact gained new text responsive to that comment, invoking retention “sideboards and age/size metrics” and Forest Plan Appendix 6, neither of which appears in the Draft EA. Appendix F discloses Table 5 updates under 6-10 and 6-11, which makes the omission under 6-16 harder to explain, not easier. USDA’s procedures direct that the proposal record document how substantive issues raised were considered and what action was taken. 7 C.F.R. § 1b.9(a)(6). For this comment, the record affirmatively states the opposite of what happened. The Final EA now dismisses a diameter cap twice, on rationales that do not support each other (beetle risk; sideboards already integrated), and its only invocation of Appendix 6 is never applied (Part IV). The Draft EA’s “mountain pine beetle” rationale was also broadened to “bark beetle” without added support.

E. New Table 5 text rejects an EIS on a rescinded regulation

The programmatic-EIS alternative added after comment is dismissed under “NEPA’s alternatives requirement (40 CFR 1502.14),” rescinded sixteen months earlier. The Final EA also cites 40 C.F.R. § 1501.5, and the Draft DN §§ 1501.3 and 1501.6. FSEEE’s principal remedy should not be rejected on authority that no longer exists, in text the public never saw. FSEEE also asks the Reviewing Officer to verify the Draft DN’s citation to 42 U.S.C. § 4335.

F. The decommissioning funding qualifier was dropped

The Watershed report says the thirty-eight miles of non-system routes would be decommissioned “as funding becomes available.” The Final EA now states that decommissioning is certain. The Project’s entire long-term watershed benefit turns on that change (Part II.A). FSEEE does not question the GMUG’s record of getting road work done when it has the money; it questions whether money that has not been identified will arrive over a twenty-year horizon. The Forest Service reports an agency-wide deferred maintenance backlog exceeding \$8.6 billion (FY2023), and GAO has found that roads and other transportation assets account for the largest share of it. The Great American Outdoors Act’s Legacy Restoration Fund, which has carried much of this work, was authorized only through fiscal year 2025 and has expired; reauthorizing legislation has been introduced but not enacted. The agency should identify the secured source and amount, or carry the benefit at the confidence its own document assigns it.

The benefit also depends on the routes staying closed. The Transportation report grounds its analysis in the 2005 Travel Management Rule and that rule’s minimum-road-system requirement, and describes the thirty-eight miles as “blocked and rehabilitated” in accordance with GMUG travel management policy. On August 24, 2026 — after the Final EA and after the notice that started this objection period — the Department published a notice of intent to revise 36 C.F.R. part 212, proposing to replace the minimum-road-system requirement at § 212.5(b)(1) and to establish a presumption that existing routes are open unless closure is documented, subject to annual review of closed routes. 91 FR 54686. FSEEE does not contend that the proposal reopens anything; the notice states that the presumption would not itself change any route’s legal status, and resource conditions remain a documented basis for closure. The narrower point is that a twenty-year benefit is banked on routes being blocked under a regulatory framework the Department has proposed to replace, and the Final EA says nothing about either. The

agency should state whether the thirty-eight miles would be physically obliterated or only blocked, and whether its long-term road-density benefit depends on the current part 212 framework.

Minor inconsistencies also remain: EIP acreage is stated as 21,000, 21,100, and 21,200; upper-tier totals are stated as 10,271 and 10,272; and Table 11 carries a stray reference to “this Draft Final EA.”

G. Improvements FSEEE supports

FSEEE credits the extension of lek avoidance to inactive, unknown, and historic leks; the broadened severe-winter closures; the split of PDF BOT-1 by fire regime; the firmer timing for temporary road decommissioning; and the added roadless cumulative analysis and ROS screening. These reflect the standard of care the rest of the Project should meet.

X. Requested Remedies

FSEEE’s principal remedy is an EIS. Group A changes what may be authorized; Group B corrects the record. Group B alone would not resolve this objection.

Group A — Analysis or disclosure before any decision

- A1. Withdraw the Draft DN and prepare an Environmental Impact Statement.
- A2. Map treatment units, skid trails, and landings before signing. Publish the temporary road location map the agency placed in the project record (response 7-5) and its underlying GIS data, with CRA tier boundaries, streams, and potential fens. Bind final road locations to the corridors it shows, subject to disclosed and analyzed deviation limits, rather than settling locations with the purchaser after contract award, and specify each road’s intended use in the decision.
- A3. Produce the June 4, 2025 roadless approval and § 294.42(c) determination; reconcile Table 10 with the treatment acreages; confirm that no mechanical tree removal is authorized in Naturita Canyon upper tier; re-examine the determination against corrected figures; and revise Table 11 to make a supported finding for each characteristic, including characteristic 9.
- A4. Make and disclose the 36 C.F.R. § 294.45(a) undeveloped-character determination against 4,730 acres and a consistent description of treatment methods, and prepare an EIS if the threshold is crossed.
- A5. Make and disclose the project-specific findings required by FW-STND-TMBR-04 (including fens) and the stand-level determination required by FW-STND-TMBR-07. Address in the significance rationale the irreversible and irretrievable commitments of resources — fens, large and old trees, and new road prisms — as 7 C.F.R. § 1b.2(f)(3)(iii)(B) requires.
- A6. Quantify detrimental soil disturbance against FW-STND-SOIL-02 in the two named subwatersheds, or explain how compliance can be found where the agency declined to measure.
- A7. Revise the Appendix A final-removal direction to retain a persistent large-tree component consistent with Baker (2017), and apply Appendix 6 as represented by identifying and quantifying old forest.
- A8. Analyze in detail an alternative that meets the fire-exclusion problem primarily with prescribed fire and managed natural ignitions, paired with defensible space near structures, and disclose its effects and costs beside the Proposed Action’s. Confirm whether managed natural ignition remains available within the Tabeguache Area, and identify the preplanned conditions under which a lightning-caused fire there may be managed toward MA-DC-TABROU-01.
- A9. Restore the four lynx design features, or disclose and analyze their deletion and make an express consistency determination under SRLA VEG S6, VEG S8, and ALL S1. Confirm that the LAU remapping relied on in the Biological Assessment used the final published Squires et al. (2024) model, and correct response 7-13.

- A10. Conform the decision to the 44 analyzed miles of new road, or supplement the analysis for 48; state whether the 48-mile figure was intended, and state which figure the project-record road map depicts.
- A11. Disclose the seven subwatersheds that decline on road density and the class changes; identify the secured funding source and amount for decommissioning the thirty-eight miles of non-system routes, and if that funding is not identified, restore the technical report's qualifier and remove the unfunded benefit from the significance analysis. State whether the thirty-eight miles would be obliterated or only blocked.
- A12. State whether the analysis is programmatic or project-level, reconcile that statement with Exhibit A, and conform the treatment of deferred analysis accordingly.
- A13. Provide the *Babbitt* analysis: identify which design features are mandatory and supply effectiveness data for those relied on.
- A14. Either quantify the Project's carbon emissions and the avoided-wildfire benefit on comparable terms, or remove the unquantified carbon benefit from the significance analysis.
- A15. Explain how departure ratings govern prescription intensity, particularly in cool-moist mixed conifer and aspen-conifer, and identify the model, class definitions, and species used in the Appendix D vulnerability maps, including Figure 20.
- A16. Withhold any decision until written USFWS concurrence is obtained.

Group B — Corrections to the record

- B1. State the FONSI's roadless finding against 4,730 acres; correct the Draft DN's statements that Tribal and ESA consultation were completed; and reconcile the Windy Point hand-treatment and mastication descriptions.
- B2. Correct the Appendix F change log for 6-16; remove reliance on rescinded CEQ regulations and re-examine the programmatic-EIS dismissal; supply or withdraw the Arapaho and Roosevelt authority; reconcile the acreage discrepancies; and identify the municipal water supply served by the Naturita Canyon CRA.

XI. Documents Requested

FSEE requests: (1) the June 4, 2025 Deputy Regional Forester roadless approval and any § 294.42(c) or § 294.45(a) determination; (2) all USFWS correspondence, the revised Biological Assessment, and any concurrence; (3) the record for deletion of the four lynx design features, including the Colorado-wide LAU remapping and the Biological Assessment's Table 4 habitat classification, with the model version and date used; (4) the Arapaho and Roosevelt decision cited at 6-2; (5) the 2019–2024 field reconnaissance underlying the EIP: in the Project geodatabase, 100 of 184 polygons (12,393 of 21,158 acres, 59 percent) carry no stand attributes at all — no structural stage, cover type, dominant species, canopy cover, elevation, or slope; (6) the temporary road location map described at response 7-5 and its underlying GIS data, the estimated road locations released under FOIA 2025-FS-R2-08189-F, any spatial data newer than the July 7, 2025 geodatabase, the most recent Project GIS data FSEE has been able to obtain, and CRA tier boundaries as applied; and (7) any effectiveness monitoring data for the design features relied on.

XII. Connection to Prior Comments — 36 C.F.R. § 218.8(d)(6)

Part	Issue	April letter / Matrix ID
II.A	Roads and watershed condition	§ IV.D; 6-5, 6-6
II.B	Detrimental soil conditions (SOIL-02)	§ IV.D; 6-6, 6-13
II.C	Impaired and Outstanding Waters; fens	§§ IV.D, IV.I; 6-5, 6-14
II.D	Greenhouse gases	§ VI.C; 6-18

Part	Issue	April letter / Matrix ID
II.E	Cumulative effects	§ IV.H; 6-13
III	Deferred site-specific analysis; road locations	§ IV.C, Req. Action 6; 6-2, 6-4, 6-9
IV	Design features in place of analysis; large trees	§§ III, IV.D, IV.G; 6-6, 6-16
V	Colorado Roadless Areas	§ IV.E; 6-7
VI.A	Baseline conditions and departure	§ V; 6-12, 6-15
VI.B	Alternatives, including prescribed and managed fire	§ IV.G; 6-10, 6-11, 6-12
VI.C	Scale and the EIS threshold	§§ IV.A, IV.I; 6-1, 6-2
VII	Tribal and ESA consultation status	§§ IV.B, IV.F; 6-3, 6-8
IX.A-G	Changes made after May 9, 2026	§ 218.8(c) new-information exception

Exhibits A and B are evidence bearing on the issue preserved at Part III, not new issues.

XIII. Conclusion

FSEEE does not ask the Reviewing Officer to resolve a scientific dispute. Each objection rests on the agency's own reports, its own Plan, its own responses to comment, or a comparison of two documents in the Reviewing Officer's own office. At stake are ninety miles of Outstanding Waters, fens that will not reform in a human lifetime, 22,210 acres of Colorado Roadless Area, and critical habitat for one of North America's rarest grouse. FSEEE appreciates the care taken with its April comments and asks that the discrepancies identified here be resolved before a decision issues.

Respectfully submitted,



Kevin Hood
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Exhibit A (attached in full per 36 C.F.R. § 218.8(b)): Letter from Chad Stewart, Forest Supervisor, to Ann K. Brown, Center for Biological Diversity, Aug. 22, 2025, File Code 5300, FOIA No. 2025-FS-R2-08189-F (2 pp.), cc: Megan Eno, Jonathan Tucker.



United States
Department of
Agriculture

Forest
Service

Grand Mesa, Uncompahgre and
Gunnison National Forests

2250 South Main Street
Delta, CO 81416
970-874-6600
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File Code: 5300
Date: August 22, 2025

Ms. Ann K. Brown
Open Government Coordinator
Center for Biological Diversity
P.O. Box 11374
Portland, OR 97211-0374

Dear Ms. Brown:

This letter is in response to your Freedom of Information Act (FOIA) request dated June 13 and received by the U.S. Forest Service Rocky Mountain Regional Office on July 2. Your request was assigned FOIA tracking number 2025-FS-R2-08189-F.

You requested the following:

“...the records containing the following information about the proposed South Uncompahgre Hazardous Fuels Ecological Resilience project (“SUHFER”):

- 1. Existing basal area of stands within the project boundary and within the estimated implementation plan polygons (see Map 1 of SUHFER proposed action scoping materials);*
- 2. Target basal areas for each habitat type and estimated implementation plan polygons within the proposed project area/treatment blocks (cool-moist mixed conifer, aspen with conifer, aspen, ponderosa pine and warm-dry mixed conifer, gambel oak shrubland, pinyon-juniper woodlands, and sagebrush shrubland);*
- 3. Acres of old and mature growth ecosystems in ponderosa pine and warm-dry mixed conifer and cool-moist mixed conifer;*
- 4. Common Stand Exam data, Stand Density Index, and Quadratic Mean Diameter, for the estimated implementation plan polygons and the entirety of the proposed project area; and,*
- 5. Any maps of the project area and estimated implementation plan polygons that depict: estimated road locations or placements, ecological types of stands proposed for treatment, Colorado roadless areas, old and mature growth stands, big game winter range and connectivity/migratory habitat, and Gunnison sage-grouse designated critical habitat.”*

For clarification on item (5), the estimated locations for temporary road construction within the provided data are estimates for purposes of analysis in the programmatic Environmental Assessment. Final locations would be determined during phased implementation, using fine-grained field surveys to ensure compliance with applicable policies, the GMUG forest plan, and project design features.



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We have provided your requested information in a geodatabase format.

The Freedom of Information Act provides that all Federal Government records be made available to the public unless they fall within one of several exemptions. In response to your requests, a thorough search of hard copy and electronic records was performed. After a review of the responsive records, we have determined all requested records are ready for release. They are being released in full with this letter.

The FOIA provides that requesters pay the reasonable costs for search, review, and duplication of records. Pursuant to Title 7, Code of Federal Regulations, Subtitle A, Part 1, Subpart A, Appendix A, there is no charge as your request falls below the statutory requirement to charge fees.

The FOIA provides you the right to appeal this response. Any appeal must be made in writing, within 90 days from the date of this letter to the Chief, USDA Forest Service. Please submit your appeal electronically to SM.FS.WOFOIA@usda.gov. The term "FOIA APPEAL" should be placed in capital letters on the subject line of the email along with the FOIA case number assigned to your request. To facilitate the processing of your appeal, include a copy of this letter.

If you need any further assistance or would like to discuss any aspect of your request, please do not hesitate to contact the FOIA Public Liaison at (202) 205-6560. Additionally, you may contact the Office of Government Information Services to inquire about the FOIA mediation services. The contact information is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001; email ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Sincerely,



CHAD STEWART
Forest Supervisor

cc: Megan Eno, Jonathan Tucker

Exhibit B (attached in full per 36 C.F.R. § 218.8(b)): Road map provided by the Grand Mesa, Uncompahgre and Gunnison National Forests upon request by an interested party, mentioned in the Final EA Appendix F response 7-5 as “available upon request.”

