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Comments: Please see attached Comment Letter

The American Forest Resource Council (AFRC) is a regional trade association whose purpose is to advocate for sustained yield timber harvests on public timberlands throughout the West to enhance forest health and resistance to fire, insects, and disease. We do this by promoting active management to attain productive public forests, protect adjoining private forests, and assure community stability. We work to improve federal and state laws, regulations, policies and decisions regarding access to and management of public forest lands and protection of all forest lands. AFRC represents over 50 forest product businesses and forest landowners throughout the West. Many of our members have their operations in communities adjacent to the Sierra and Sequoia National forests and the management on these lands ultimately dictates not only the viability of their businesses, but also the economic health of the communities themselves. Rural communities, such as the ones affected by this project, are particularly sensitive to the forest product sector. We appreciate the opportunity to comment on the proposed R5 Hazardous Tree Management Project.

#### Background:

The scoping letter dated October 25, 2021 explained [ldquo]In 2020, 2.5 million acres of National Forest System (NFS) lands were impacted by wildfire, with substantial burning at the large landscape-scale. An additional 2.4 million acres have burned across all jurisdictions in California so far this year, and the 2021 fire season is still underway. Six of the seven largest wildfires in California history have occurred since 2020. These fires have created the need for significant hazard tree removal in order to address the threats posed to safety and property. The 2020 and 2021 fires killed or damaged trees adjacent to segments of thousands of miles of existing NFS roads and hundreds of facilities within the Pacific Southwest Region. Although some trees were felled and either left in place or removed during suppression activities, numerous killed or damaged trees remain adjacent to NFS roads and are likely to fall in the next three to five years.[rdquo] I have personally observed these hazardous conditions on the Sierra (Creek Fire) and Sequoia National Forests (Castle, Windy and French fires).

#### Purpose & need for the project:

AFRC agrees that there is a need to reduce public safety hazards along portions of roads, trails, and facilities (campgrounds, trail heads, administrative sites). The scoping document outlines the processes necessary to mitigate these hazards, namely the felling of hazard trees with chainsaws. Tree falling is an extremely dangerous profession, even in stands of green timber. Those dangers are elevated when felling dead and dying timber. Those dangers are elevated even further when the felling of those dead and dying trees is delayed as the structural integrity of trees is diminished as rot and deterioration progress. Therefore, we urge the Forest Service to strive toward expedient completion of this analysis to permit the safest work environment possible for those forest workers tasked with the felling of these hazard trees. We appreciate the ambitious timeline outlined in the scoping document and hope the Forest Service is successful in meeting it.

We also agree that [ldquo]there is a need to reduce fuel loading associated with felled hazard trees adjacent to portions of roads and trails, and near facilities (campgrounds, trail heads, forest service offices)[rdquo] as stated in your scoping letter. There is opportunity for recovery of trees identified for removal in a manner that will not only address public safety risks and reduce fuel loading but also provide timber products to the local industry and generate income to the Forest Service. This opportunity can only be realized if implementation of the proposed EA is executed in a timely manner and fire-killed timber products are manufactured before their value is lost to decay, stain, or insect damage. We hope to see the mitigation of as many hazard trees along as many road

miles as possible to ensure safe travel routes. We also hope that these trees can be mitigated economically through the recovery of damaged timber products rather than through alternatives that would create costs instead of generating revenue.

Adequate documentation of the Field Guide for Danger-Tree Identification is advisable given the ongoing challenges by special interest groups against hazard tree removal. Recent court rulings have indicated some confusion regarding the use of the Field Guide to identify hazard trees that have potential to impact roads. In particular, there have been questions regarding whether a specific tree poses an [ldquo]imminent[rdquo] hazard. Therefore, we recommend that you highlight and outline certain components of your guidelines in the final Decision-Memo/Notice including:

- \* Thorough explanation of tree falling dynamics on level ground, including the effects of wind events, force of breakage, and how fallen trees may impact other nearby trees (causing broken tops, etc.)

- \* Thorough explanation of tree falling dynamics on sloped ground, including the likelihood of downslope trees falling uphill

- \* Emphasis on how the Danger Tree Guidelines identify both the [ldquo]Tree Failure Potential[rdquo] and the [ldquo]Potential Failure Zone.[rdquo] Specifically note that any given tree has a Failure Zone and describe how that failure zone is determined.

Standard utilization specifications used on green Forest Service timber sales will not likely be appropriate for the salvage sales generated from this EA. Due to the damaged nature of the timber products being proposed for harvest, there will be an unusually high level of uncertainty by the Forest Service and prospective purchasers of the actual value of those products on the stump prior to harvest. This uncertainty is exacerbated by the fact that additional time for wood deterioration will elapse between the time of purchase and the time of harvest. Therefore, the Forest Service should be developing minimum removal requirements and utilization specifications that align with this uncertainty. Purchasers will recover as much value from these damaged products as possible. Requiring them to recover value that is not available will reduce the likelihood that these sales will successfully sell.

## Project Areas

Hazard tree felling, removal, and fuel reduction is proposed in burned areas, identified by wildfire name (also referred to as project areas) within nine national forests within the North, Central Sierra and Southern Sierra sub-regional zones (see table 1). The project areas are delineated by the perimeters of the listed wildfires.

Table 1. National Forests by Zone National Forest(s) Project Areas (Name of Wildfire)

NorthMendocino	August Complex, Ranch
NorthShasta-Trinity	Antelope, Lava, McFarland, Monument, River Complex, Salt, August Complex
NorthSix Rivers	August Complex, Knob, McCash, Red Salmon, Slater
NorthKlamath	Tennant, McCash, River Complex Cronan, River Complex Haypress
Central Sierra	PlumasDixie, North Complex, Camp
Central Sierra	LassenDixie
Southern Sierra	SierraCreek Fire
Southern Sierra	SequoiaKNP Complex, SQR Complex (Castle), Windy
Southern Sierra	InyoDexter, Inyo Creek

## The Proposed Action

We support the proposed actions included in your scoping letter reference above. Key actions include:

1) Use of an EA (Environmental Analysis) instead of a CE (Categorical Exclusion) to minimize potential litigation which would delay or halt this critical project.

2) Use of the Hazard Tree Guidelines for forest Service Facilities and Roads in the Pacific Southwest Region (USDA 2012). We include current OSHA guidelines in our comments to emphasize and document that there is a significant risk from falling danger trees in the roadside corridors.

I retired from the Forest Service as a Regional Forester's Representative (RFR) to train and certify Forest Service timber sale administrators in R5 and know from personal experience how hazardous OSHA defined danger trees can be. While it is accepted that a recently fire killed tree is not necessarily a danger tree as defined by OSHA in a roadside corridor setting, nearly all dead trees will rot and deteriorate to become danger trees to the road over time.

3) We support the use of the "most cost efficient and effectively treatment within each area will be chosen based on timing, equipment availability, and cost treatment results." To do otherwise would prevent effective implementation of the project.

4) Adverse project impacts will be avoided or mitigated by using Design Features and Best Management Practices (BMPs) to comply with laws, regulations, and policy as described in Appendix B of the Scoping Document.