Data Submitted (UTC 11): 4/12/2024 6:00:00 AM
First name: Chris
Last name: Bachman
Organization: Yaak Valley Forest Council
Title: Conservation Director
Comments: Supervisor Benson,

RE: Trojan Defense Hazardous Fuels Reduction Project-Environmental Assessment and Finding of No Significant Impact

I am writing on behalf of the Yaak Valley Forest Council to offer comments on the Trojan Defense Hazardous Fuels Reduction Project-Environmental Assessment and Finding of No Significant Impact.

The Yaak Valley Forest Council, established in 1997, is a non-profit organization based in Montana. Our focus is on implementing conservation and restoration programs that protect and preserve critical wildlife habitats for sensitive, threatened, and endangered species that reside in the wild Yaak Valley. Our mission is to safeguard the last roadless areas in the Yaak Valley and the Kootenai National Forest and to maintain and restore the ecological integrity of our geographic zone by conserving and enhancing habitats for native and sensitive species.

We incorporate by reference our previous comments on this project submitted on August 7, 2023, August 18, 2023, October 30, 2023, and November 29, 2023 (attached as Appendix A).

The Yaak Valley Forest Council endorses the Firewise Program1, which promotes fire-safe communities by "hardening" buildings against wildfire. We do not believe that clearcutting is an effective or desirable method for preventing fires, as it can worsen their severity.2 The South Yaak fire, which occurred on both public and private land, demonstrated this fact. We also recognize that Troy is an at-risk community, with much of the community lying within the federally defined Wildland Urban Interface (WUI), and we understand the concerns of its residents regarding the threat of wildfires. Nonetheless, clearcutting has negative consequences for biodiversity and can dry and warm the landscape, making it more susceptible to fires.3 Large and severe fires in the west are associated with warm and dry conditions, and such conditions will likely occur with increasing frequency in a warming climate.4

The Trojan Defense Hazardous Fuels Reduction Project aims to treat 4,300 acres of public land. Clearcutting will be the primary method used, impacting McConnell Mountain, Callahan Creek, and Iron Creek. Clearcutting is a harmful practice that not only aridifies the land but also devastates wildlife habitat. This negative impact is compounded by the fact that nearly 350,000- acre commercial-scale projects have been completed in the past five years, encircling the Trojan Project from the north, south, and east. Therefore, it is imperative to assess the cumulative effects of this project on wildlife habitat to ensure that it does not further endanger the delicate ecosystem.

Wildland Urban Interface

According to the project details, the expanded wildland-urban interface, as outlined in the Lincoln County Community Wildfire Protection Plan (CWPP), is being used for the project's design and execution, in preference to the one outlined in the Federal Register. The CWPP uses parcel-based mapping to delineate a WUI of 1,543,799 acres in a county of 2.352 million acres. This covers sixty-six percent of Lincoln County, which has a

population of 20,525 significantly expanding the WUI.

The Federal Register definition splits the WUI into two categories, Intermix and Interface based on vegetation density:

* Intermix WUI, or lands that contain at least one housing unit per 40 acres (16 ha) in which vegetation occupies more than 50% of the terrestrial area; a heavily vegetated intermix WUI is an area in which vegetation occupies over 75% of the terrestrial area (at least 5 km2).
* Interface WUI, or lands that contain at least one housing unit per 40 acres (16 ha) in which vegetation occupies less than 50% of the terrestrial area (at least 2.4 km2).5

Parcel-based mapping has extended the Lincoln County WUI boundary up to and over 10 miles away from structures, well beyond the one-and-a-half miles outlined in 16 U.S. Code [sect] 6511.

This WUI expansion needs more study to determine the effects of habitat fragmentation this project will have on multiple wildlife species. The County CWPP has essentially created an undefined and non-existent new category of Wildland Rural Interface.

Also of concern is that Lincoln County is receiving Payment in Lieu of Taxes (PILT) funding based on the 1908 Twenty-Five Percent Fund Act,6 which means that the county receives PILT payment based on 25% of every dollar reaped from National Forest land within the county. By expanding the definition of Wildland Urban Interface and allowing more National Forest land to be logged under an authorized emergency action, the county is increasing its access to federal funding. While this may or may not be illegal, it certainly raises ethical concerns.

Outside of the WUI defined in 16 U.S. Code [sect] 6511, the Forest Service should recognize fire as a natural process that operates as an integral part of the ecosystem in which it occurs. Wildfires play a key role in shaping ecosystems by serving as agents of renewal and change.7

We brought to your attention in letters dated August 7, 2023, and August 18, 2023, the May 16, 2023, Hannah Flats decision in the United States Court of Appeals for the Ninth Circuit.8 The Hannah Flats decision clarifies that activities on federal land must adhere to the Congressionally authorized definition of the wildland-urban interface as defined in the Healthy Forests Restoration Act and cannot be reliant upon a wildland-urban interface definition outside of Congressionally authorized statute.

Purpose and Need

The project Purpose and Need identifies several contributing factors that have increased the likelihood of wildfire but fails to identify climate change and climate change-driven weather patterns as the most significant factors contributing to wildfire fire risk. Current research suggests altered fire conditions related to warming global temperatures and climate change are the most significant factor.9

It is well documented that climate change is driven by rising carbon buildups in the atmosphere. Forests, particularly old-growth forests, are one of our best tools for capturing and storing atmospheric carbon.10 Old-growth trees and forests have low wildfire risks and high carbon density and should be excluded from the project. These forests are worth more standing as carbon buffers to offset warming and drying due to climate change.

National Old Growth Amendment

On December 20, 2023, the Biden Administration published its Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest System.11 The publication in the Federal Register stated, "The United States Department of Agriculture (Department) is proposing to amend all land management plans for units

of the National Forest System (128 plans in total) to include consistent direction to conserve and steward existing and recruit future old-growth forest conditions and to monitor their condition across planning areas of the National Forest System. The intent is to foster the long-term resilience of old-growth forest conditions and their contributions to ecological integrity across the National Forest System."

This project fails to align with the proposed amendment.

Adherence to the Council on Environmental Quality Greenhouse Gas Guidelines

The EA/FONSI briefly addresses the Project's impact on Climate Change and carbon cycling12 but fails to address the benefit of leaving carbon-sequestering trees standing. Guidelines released in 2023, by the Council on Environmental Quality: National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change, recommend all projects that may impact sequestration or emissions of greenhouse gasses be accurately reported and quantifiably projected.13 The Council's guidance directs disclosure of estimates of greenhouse gas emissions and aims to avoid, or at a minimum reduce, the emissions associated with logging using published carbon accounting methods.

This guidance is directed at federal agencies. Models and methods exist that will allow the KNF to comply with these guidelines to accurately report and quantifiably project logging and thinning emissions related to the Project. The CEQ's guidance will allow disclosure estimates of greenhouse gas emissions and aim to avoid, or at a minimum reduce, the emissions associated with any project using published carbon accounting methods.

Grizzly Bears

We recognize that the project is not situated within the Cabinet Yaak Grizzly Bear Recovery Zone (CYGBRZ) and is outside of the revised Bears Outside of Recovery Zones (BORZ) area. However, the Cabinet Yaak Grizzly Bear Recovery Zone surrounds the Project area. The project area abuts bear management units 3, 4, and 9. We are concerned with the high density of open roads both within and around the project location. On page 53 of the Environmental Assessment (EA)/Finding of No Significant Impact (FONSI), it is stated that all bear management units (BMUs) within the Kootenai National Forest, which covers parts of the Cabinet-Yaak Recovery Zone, have already satisfied the permanent wheeled motorized access management measures established in the Forest Plan. Nonetheless, recent findings in federal court suggest otherwise.

The Yaak Valley Forest Council has conducted surveys of road barriers to exclude motorized access in the Kootenai National Forest, including in the project area (Appendix B).

Unfortunately, the Council has found many of the barriers to be inadequate and passable to motorized vehicles.

Projects completed under authorized emergency action carried out under Sec. 40807 of the Infrastructure Investment and Jobs Act on National Forest System land shall be conducted consistent with the applicable land and resource management plan. Therefore, this project must adhere to the 2015 Kootenai National Forest Land Management Plan and the 2011 Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones. This includes an accurate assessment of baseline total linear miles of roads and total linear miles of open roads.

We appreciate your consideration and the time you will take to adhere to your legal obligations as the land manager and abide by the Congressionally authorized statute as this project moves forward.

Respectfully,

Chris Bachman, YVFC and Kristine Akland, Center for Biological Diversity

1 Firewise USA[Acirc][reg]. (2024). NFPA | The National Fire Protection Association. https://www.nfpa.org/education-and-research/wildfire/firewise-usa

2 Scientists say clearing forests worsens wildfire damage. (2021, August 25). Governing. https://www.governing.com/now/scientists-say-that-clearing-forests-worsens-wildfire-damage

3 Wasserman, T. N., & Mueller, S. E. (2023). Climate influences on future fire severity: A synthesis of climate-fire interactions and impacts on fire regimes, high-severity fire, and forests in the western United States. Fire

Ecology, 19(1). https://doi.org/10.1186/s42408-023-00200-8.; Abatzoglou, J. T., & Williams, A. P. (2016). Impact of anthropogenic climate change on wildfire across western US forests. Proceedings of the National Academy of Sciences, 113(42), 11770-11775. https://doi.org/10.1073/pnas.1607171113

4 Halofsky, J. E., Peterson, D. L., & Harvey, B. J. (2020). Changing wildfire, changing forests: The effects of climate change on fire regimes and vegetation in the Pacific Northwest, USA. Fire

Ecology, 16(1). https://doi.org/10.1186/s42408-019-0062-8.

5 "Urban Wildland Interface Communities Within the Vicinity of Federal Lands That Are at High Risk From Wildfire." Federal Register, 4 Jan. 2001, www.federalregister.gov/documents/2001/01/04/01-52/urban-wildland-interface- communities-within-the-vicinity-of-federal-lands-that-are-at-high-risk-from.; Radeloff, V.C.; Hammer, R.B.; Stewart, S.I.; Fried, J.S.; Holcomb, S.S.; McKeefry, J.F. 2005. The wildland-urban interface in the United States. Ecological Applications 15(3): 799-805.

6 USDA. (2024, March 19). Secure rural schools - Payments | US Forest Service. US Forest Service. https://www.fs.usda.gov/working-with-us/secure-rural-schools/payments

7Fire effects on the environment | Pacific Northwest research station | PNW. (n.d.). US Forest Service. https://www.fs.usda.gov/pnw/page/fire-effects-environment

8 United States Court of Appeals for the Ninth Circuit. ALLIANCE FOR THE WILD ROCKIES v. CARL PETRICK, his official capacity as Forest Supervisor for the Idaho Panhandle National Forests; UNITED STATES FOREST SERVICE, an agency of the U.S. Department of Agriculture; UNITED STATES FISH AND WILDLIFE SERVICE, an agency of the U.S. Department of Interior. 16 May 2023

9 Wasserman, T. N., & Mueller, S. E. (2023). Climate influences on future fire severity: A synthesis of climate-fire interactions and impacts on fire regimes, high-severity fire, and forests in the western United States. Fire

Ecology, 19(1). https://doi.org/10.1186/s42408-023-00200-8.; Abatzoglou, J. T., & Williams, A. P. (2016). Impact of anthropogenic climate change on wildfire across western US forests. Proceedings of the National Academy of Sciences, 113(42), 11770-11775. https://doi.org/10.1073/pnas.1607171113.; Halofsky, J. E., Peterson, D. L., &

Harvey, B. J. (2020). Changing wildfire, changing forests: The effects of climate change on fire regimes and vegetation in the Pacific Northwest, USA. Fire Ecology, 16(1). https://doi.org/10.1186/s42408-019-0062-8

10 DellaSala, D. A., Mackey, B., Norman, P., Campbell, C., Comer, P. J., Kormos, C. F., Keith, H., & Rogers, B. (2022). Mature and old-growth forests contribute to large-scale conservation targets in the conterminous United

States. Frontiers in Forests and Global Change, 5. https://doi.org/10.3389/ffgc.2022.979528

11 Forest Service, Department of Agriculture. (2023). Land Management Plan Direction for Old-Growth Forest Conditions Across the National Forest System, Notice of intent to prepare an environmental impact statement (Vol. 88, No. 243/Wednesday, December 20, 2023). Federal Register. https://www.govinfo.gov/content/pkg/FR-2023-12-20/pdf/2023-27875.pdf

12 USDA Forest Service. (2024, March). Trojan Defense Hazardous Fuels Reduction Project: Environmental

Assessment and Finding of No Significant Impact. https://usfs-public.app.box.com/v/PinyonPublic/file/1471082471285 p.9.

13 "Analysis of New CEQ Interim Guidance on Consideration of Greenhouse Gas Emissions and Climate Change Under NEPA." Akin - Analysis of New CEQ Interim Guidance on Consideration of Greenhouse Gas Emissions and Climate Change Under NEPA, www.akingump.com/en/insights/blogs/speaking-sustainability/new-ceq-interim- guidance-on- consideration-of-greenhouse-gas-emissions-and-climate-change-under-nepa.; National Environmental Policy Act Guidance on Consideration of Greenhouse Gas Emissions and Climate Change. (2023). Council on Environmental Quality.

Attachment A- previous comments submitted on this project on August 7, 2023, August 18, 2023, October 30, 2023, and November 29, 2023.

Attachment B- trojan defense insufficient grizzly barrier report.