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First name: Isabelle

Last name: Spohn

Organization:

Title:

Comments: Final Spohn Comments for 5/16/2024 Midnight

The Public Process : I appreciate the huge amount of work that has gone into an extremely complex issue and assembling of related documents under the hovering mandate of an "emergency" situation. However, the USFS took almost one year after scoping comments were submitted to write this EA but has now given the public only the minimum required time for review of an EA that includes extensive documents and complex legal/technical vocabulary, along with detailed charts to cross-reference and review. Many of these documents are difficult to even access via the website. Some give the message "cannot be downloaded." Yet the USFS has given the public only the minimum required time for review, arbitrarily rejecting all Alternatives proposed by the public, several due to "lack of detail." In addition, it fails to reveal information as to the overall impact of this and the related projects upon the entire Methow Valley Watershed.

Change from 30 years to 20 years for projects:

It's good in one sense that the "restoration" projects now cover 20 years rather than 30. But on the other hand, consider that the plan is based upon "historic conditions" when we really don't know what these conditions have been in terms of planet earth. The risks of proceeding too rapidly are irreversible in view of long-term forest health and removal of trees, old growth and large trees in particular. There does need to be a long-term plan to address climate change, but does speeding up the time frame of these projects help out, particularly in view of our lack of knowledge regarding actual historic conditions during the preceding millennia? One is left wondering how much the possible economic benefits of the project to commercial interests have improperly influenced the speed under which this is being done.

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1) DISCUSSION OF PURPOSE AND NEED: Why do we need to Act?

(Underlines are my response to these statements in the EA.)

"The Midnight Restoration Project area has several vegetation characteristics that are currently departed from the desired conditions that would be resilient to disturbances, such as wildfire, insects and disease, and the effects of climate change." These desired conditions are speculative, have not been scientifically established, and are currently being debated by science. (Consider Hanson, DellaSala, Baker, and others.)

"Landscape-level assessments show that the structure of stands, their spatial patterns, and fuel loads currently favor larger, more severe disturbances relative to historical baselines and impede adaptation to climate change." This is speculative, is being debated, and does not consider the facts that recent large fires have been wind and drought-driven. Structure of stands, spatial patterns, and fuel loads are not the only elements here. In fact, they may be less crucial than climate changes such as wind and drought.

"Restoration toward desired conditions would promote a resilient landscape, help protect key resources, and reduce risks to communities, forest visitors, and wildland firefighters, while also providing an opportunity to involve the community and increase local economic well-being." What are "desired conditions? Once again, these statements include much speculation, especially in regards to "desired conditions."

It is stated that the Draft EA was prepared "to determine whether implementation of the proposed treatments described below may significantly affect the quality of the human environment, thereby requiring the preparation of an Environmental Impact Statement (EIS). Note that the project was developed using "direction" from documents dated 1989 - 2013 (from one decade to 3 1/2 decades old). See "Purpose and Need: Why Do We

Need to Act." EA, p. 3. The EA does not accomplish the goal of determining whether implementation of the proposed treatments would significantly affect the quality of the human environment (especially in view of the fact that not only the Midnight sale is proposed, but several other similar actions in the same Methow River drainage. Thus an EIS is required.

## 2) DISCUSSION OF NEEDS #1-4

NEED #1: Late-successional and Riparian Reserves, understory diversity, and unique habitats (Now Changed to: Need #1 - Move Current Vegetation Structure, Spatial Patterns, and Composition Toward Desired Reference Conditions )

My comment: If wildfire suppression in the past is largely to blame for mega fires or fires of high intensity, why does this plan not encourage natural wildfires to burn in the affected areas under appropriate conditions, times, and locations, thus reducing the wildfire suppression by humans that has (according to this viewpoint) actually caused or contributed to the problem in the first place? This plan should contain a decision tree that would address which fires would be let burn, under what conditions ( time of year, location, under what weather conditions, etc.)

\* "There is a need to re-establish frequent fire and adapt to climate change by decreasing fire return intervals and reducing the likelihood of high-severity fires"

My comment: All science does not necessarily support the importance of reducing high-severity fires for forest health. History does not necessarily substantiate that high-severity fires did not regularly exist in the past in healthy forests. Different findings and newly developed perspectives should be considered, not disregarded, and Alternatives should be developed to acknowledge their existence. Recent findings substantiate the theory that fires that create the highest level of biodiversity (and thus forest health) are lightning-caused over diverse ecosystems, creating areas of mixed severity of fire.. As commenter Sarah Lane stated in Scoping comments, " Wildfire science, and information on the effects of logging to reduce fire risk is far from settled, and the Forest Service cannot cherry- pick the studies that support logging, they must consider all the science."

A mosaic of varying levels of fire intensity is desirable for forest health. And as NCCC has commented, "Without a plan to allow fire to resume its natural role, the forest will revert back to its former condition over time."

NEED #2: (Remains the same: Protect and maintain wildlife habitat and complex forest in strategic places.

My comments:

\*This does not consider the benefit of natural wildfire (let-burn) as to the best creation of habitat diversity and protection of species that are dependent upon snags and burned landscapes (ie: Black-headed woodpecker, etc. Refer to Hanson, et. al)

[https://www.biologicaldiversity.org/news/press\\_releases/2014/black-backed-woodpecker-04-02-2014.html](https://www.biologicaldiversity.org/news/press_releases/2014/black-backed-woodpecker-04-02-2014.html)

\*Soils/mycorrhizae : Science is now exploring the intricacies of mycorrhizal fungi related to old growth forests and the interrelationship of trees and tree species via these fungi. We do seem to know that when mycorrhizae are present, plants are less susceptible to water stress. It is also known that different species of trees relate to and support each other through the networks of mycorrhizae in the soil. These interrelationships do exist in a diverse forest setting. This information should raise the flag of caution in the current trend toward creating large monocultures of Ponderosa Pine forests, which it appears is one unstated goal underlying this "Restoration" project - which appears to minimize the mixed conifer forest, especially in the sections relating to LSR 's. <https://www.nytimes.com/interactive/2020/12/02/magazine/tree-communication-mycorrhiza.html>

NEED #3: (remains the same: Provide an Affordable, Safe, and Efficient Transportation System and Reduce Sedimentation from Roads on National Forest System (NFS) Lands )

My comment:

Safe Transportation: There has been little attention given to the problem of possible entrapment on dead-end roads in case of wildfire. Little attention has been given to posting directional signage or number of miles to towns or land marks in order to guide people during egress from wildfire. This needs to be addressed, particularly now that generous funding is available for such things.

Decommissioning of roads: There isn't any discussion of how or when the necessary funding for these actions will be required. Under this plan, the engineers and hydrology staff would be determining whether/which culverts would need to be removed. Will there be delays due to lack funding for these individuals and their work time? Will this cause deterioration of water quality, including temperature and turbidity, along with the decline of essential benthic macro invertebrates and the species that feed upon them?

NEED #4: (Remains the same: Reduce Fire Risk to Communities, Reduce Hazards Along Ingress/Egress Routes, and Improve Firefighting Effectiveness Within and Adjacent to Wildland-Urban Interface (WUI))

My Comment:

\*None of the above (Ingress/egress Table for Need #4 ) addresses ingress/egress from the Methow Valley itself (or even from the Twisp River and associated drainages) regarding dead-end roads and lack of road signage especially for egress in case of wildfire. In regards to egress from the Methow Valley itself if needed, there is no plan for such road signage or signage of dead-end roads in areas that might lead to the South Summit road system for egress.

\*None of the "Proposed Transportation Changes" (p 8, Table 2) is classified as addressing Need #4 related to egress in the case of catastrophic wildfire (ie road signage, directional signage for evacuation.)

My Suggestions for improvement in regards to Need #4:

\*Identify and work with other governmental bodies and partners to post signs on dead-end or impassable roads to avoid entrapment.

\*Work with other "partners" and governmental bodies to supply directional signs (arrows pointing to landmarks or towns, with mileage in case of egress from wildfire.)

\*Identify and work with other governmental bodies and partners to post signage for possible ingress/egress routes.

\*In regards to the Midnight project, engage with the Town of Twisp, encouraging inclusion within the boundaries of the Conservation District and encouraging "Firewise" practices as Winthrop has done. Twisp's vulnerable position encompassed by the Twisp River WUI along with a lack of regulations in the Town of Twisp to mitigate wildfire within the community is an issue.

### 3) DISCUSSION: NEED FOR AN EIS, INCLUDING A REASONABLE RANGE OF ALTERNATIVES.

As defined at 40 CFR 1508.1(z), "Reasonable alternatives means a reasonable range of alternatives that are technically and economically feasible, and meet the purpose and need for the proposed action."

My Comment: It's incumbent upon the USFS to prepare a full Environmental Impact Statement. A section should be included regarding expected cumulative impacts of related and already-proposed projects in the Methow Valley.. The EIS must include a wide range of Alternatives based upon various perspectives as to the history of fire and promotion of healthy forests. Lessons learned from the so-far unfortunate Mission Project and for the future intended "restoration" projects in the northern end of the Methow Valley must be included. Fires

move up and down the Methow Valley. So does wildfire, and so do smoke and logging trucks.

The Draft EA excluded reasonable Alternatives proposed by the public for various inadequate reasons, such as not being "reasonable." The USFS cannot claim the benefit of "partners" and collaborating agencies/groups and their financial contributions with one breath and then state that economics do not permit consideration of additional alternatives. Below are possible alternatives suggested by the public but dismissed in this EA. ("Reasonable alternatives means a reasonable range of alternatives that are technically and economically feasible, and meet the purpose and need for the proposed action.")

#### 4) DISCUSSION OF PROPOSED ALTERNATIVES:

Merely two Alternatives addressing "All or Nothing" extremes, as in Alternatives #1 and #2 below - is not a reasonable approach for such an extensive proposal upon which human welfare as well as healthy forests and life in general in this valley depends. This is a complex issue involving trees, fire, microorganisms in the soil, threatened species, human survival, economics, history of fire and forests, and other issues.

We need at least one alternative that focuses on protecting homes, communities and private property, and promoting healthy forests along with all aspects of forest health - rather than "focusing only on an attempt to change the composition of the forest ecosystem to our advantage." ( North Cascades Conservation Council)

Proposed Alternatives in this EA:

Alternative 1: No Action (proposed by USFS)

Alternative 2: (Proposed by USFS), the currently proposed Alternative, which assumes that low-intensity fire and logging are the essential solutions to our climate change dilemma.

Alternative 3: (Proposed by the Public, rejected by USFS) A Forest Health and Human Adaptation Alternative based upon the alternative theory that mixed fire intensities (including high intensity fire) are a natural and essential part of a healthy forest and that there are ways humans can and must adapt to this reality. This could also include, at minimum, protection of Apex predators, the mycorrhizal network of healthy forest ecosystems and other elements of the soil as part of a healthy forest ecosystem.

Alternative 4: (Proposed by North Cascades Conservation Council, rejected by USFS) NCCC alternative as proposed, and/or NCCC Alternative combined with Alternative #3 (Mixed Fire intensity) above and/or any other reasonable alternative suggestions or combination of suggestions from the public. The NCCC Alternative was entitled "the Methow Fire Risk Reduction and Biodiversity Conservation Alternative."

The NCCC alternative or combination of the NCCC alternative plus other public suggestions as summarized in #3 above are reasonable. There is no current consensus on the science regarding historic conditions upon which the USFS proposed alternative relies, and successful strategies geared toward public safety are not adequately addressed in the proposed alternative.

This situation demands multiple alternatives to choose from, including at least #3 and #4 mentioned above.

I fully support the Methow Fire Risk Reduction and Biodiversity Conservation Alternative, submitted by the North Cascades Conservation Council. I also support the elevation of the benefits of mixed fire intensity as an integral part of healthy forests.

#### 5) DISCUSSION OF US FOREST SERVICE DETERMINATION THAT THESE PROPOSED ALTERNATIVES PROPOSED BY THE PUBLIC WERE INADEQUATE

The dismissal of the public's alternatives listed above, which were requested by the USFS, was Arbitrary and Capricious.

My Comment: The Forest Service rejected several alternatives with this generality: "In general, the proposed actions in this alternative did not meet the definition of a reasonable alternative because they were outside the scope of, and/or did not meet project needs for, the Midnight Restoration Project's Purpose and Needs for the Proposed Action."([https://www.ecfr.gov/current/title-40/part-1508#p-1508.1\(z\)](https://www.ecfr.gov/current/title-40/part-1508#p-1508.1(z))).

For example, on the "Incorporation of Elements of Mixed-Severity Fire" in Alternatives, the USFS states: "The IDT considered an alternative that allowed for mixed-severity fire as "natural forest management" and emphasized the need for humans to adapt to these higher severities. The commentor (commenter) did not provide enough information to describe how this alternative would be accomplished. Therefore, the alternative was not described in detail. The IDT recognizes that mixed-intensity fire has an important place in a healthy forest ecosystem in the project area and does not propose eliminating it."

My response: It's not up to the public to develop a specific and complete alternative within 30 days, when it took the USFS almost a full year to publish this EA. The USFS only requested additional alternatives from the public, not complete project descriptions with details such as those found in a draft EA. The fact that the ID team didn't specifically propose eliminating consideration of mixed-intensity fire (wildfire), as they have stated, does not mean that this EA adequately addresses mixed intensity fire and its place in maintaining forest health along with the diverse wildlife habitat than low-intensity fire can't achieve. This is a major defect in the EA.

## 6) ADDITIONAL COMMENTS

\*Shaded Fuel breaks: Once again, I must agree with others who have stated: "Since this is a restoration project to create a more resilient landscape to extreme wildfire, the need for shaded fuelbreaks is greatly reduced. Once treated, fire can burn across the landscape to maintain a healthy forest that can withstand fire. Shaded fuel breaks provide little to no habitat for native wildlife species and extend sight distances from roads that reduces the effectiveness of adjacent habitats."

And, again: "In addition, these fuel breaks present an attractive nuisance for damaging off-road vehicle traffic (and accompanying sedimentation) and should be discouraged, especially far from human habitations. The example of the Eagle Creek fire along the Columbia River (Oregon/Wa) demonstrated the ineffectiveness of this strategy in the case of wind-driven fire." In that case, the fire jumped even the Columbia River.

\*Increase in fire lines to accommodate smaller areas which could be burned during prescribed burning: The "edge effect" was discovered long ago, especially when the Spotted Owl was a hot topic, when biologists found that certain wildlife did not willingly cross over roads, even small ones, that divided up their natural habitats. What has happened to the attention this "edge effect" used to attract? The fewer any breaks, even fire lines, the better for wildlife. We are creating more "edges" and less acceptable wildlife habitat with this change.

Late Successional Reserves - No logging should be allowed in a Late Successional Reserve. This is contrary to the reason for the creation of this land classification. The biodiversity and intricate relationships among trees in such Reserves should be preserved without interference from human beings. Please drop all exceptions for cutting large, fire-resistant trees, especially in the LSR's

\*Who will measure the 20.9" trees to establish suitability (or not) for removal by logging? USE COMMON SENSE! Who is going to measure a large tree to the 1/10th of an inch? Make it 21" or more.

Leave Trees & DxP: Allowing DxP is to welcome unauthorized cutting of larger trees. The dramatic lack of oversight that will occur with such logging is a great problem with this project and has already been seen in the "model" Mission Project . Take the commercial aspect out of the restoration projects. Trained USFS personnel must mark the leave trees.

The outcome of larger scale landscape planning depends upon implementation, monitoring, and follow-up. So far, the USFS has neglected its duty and "allowed the fox to guard the henhouse" in its model project (Mission.) This must be corrected.

The lack of supervision by personnel who actually understand the logging industry and all the ways that operators and purchasers can cheat the government and the public ( if so inclined .....and given the opportunity.) Of course not all logging industry personnel would fall into this category.

Decommissioning of roads: There isn't any discussion of how or when the necessary funding for these actions will be required. Under this plan, the engineers and hydrology staff would be determining whether/which culverts would need to be removed. Will there be delays due to lack funding for these individuals and their work time? Will this cause deterioration of water quality, including temperature and turbidity, along with the decline of essential benthic macro invertebrates and the species that feed upon them?

CONCLUSION: The perspective presented by this project is contorted due to monocular vision and limitation of public involvement from the beginning. It's time to back up and take a closer look at this project, preserve the natural sequence of nature-caused fire, and learn to live with fire rather than to attempt once again to stop it, as was done in the past. How can we state that the current situation is mostly due to fire suppression and then continue to suppress wildfire?

Sincerely yours,  
Isabelle Spohn