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First name: Deil

Last name: Auly

Organization:

Title:

Comments: Dear Ranger Hogen and selected IDT members,

Please accept and consider these comments on the proposed East South Fork pre decisional EA and read them with an open mind. They are based on best science and the experience I gained after working for 31 years with the USFS. I hope you used best science to develop this project. Please contemplate the quote below. Ranger Hogen, I hope you are intelligent enough to understand why the quote below describes something USFS employees are unable to comprehend. Indeed, as I will show, when they plan and implement projects that risk our planet's health.

"The greatest danger to our planet is the belief that someone else will save it."

Robert Swan, explorer and environmental activist

My comments contain attachments with quotes authored by expert scientists ... many with Ph.D.s. Opposing Views Attachment #4 contains quotes that describe resource damage caused by roads.

Chief Dombeck knew this.

"Roads often cause serious ecological impacts. There are few more irreparable marks we can leave on the land than to build a road."

Dr. Mike Dombeck, Chief, US Forest Service

Remarks to Forest Service employees

and retirees at the University of Montana

February 1998

In February of 2000 the Smithsonian magazine reported on Chief Dombeck's plans:

"By the 1980s, it was clear to many that something had to be done, but for years not much was. Then in 1997, the Forest Service's new chief, Mike Dombeck, asked for an increase of \$22 million in his budget to remove 3,500 miles of roads, which Dombeck characterized as only a fraction of those eligible for closure. "It was an excellent start," observes Bethanie Walder, director of the Wildlands Center for Preventing Roads, in Missoula, Montana. "But if you don't address the potential hydrological impacts of every road, no matter how stable it seems, you're just creating time bombs." "

"Later that day, Connor and her fellow road-killers showed me one they had obliterated less than a year earlier. I saw hardly a sign that there had ever been a road. Everywhere, grasses abounded, and tiny sprouts of ponderosa pine and white pine poked their heads above the artful rubble."

Please consider this quote below authored by the man who was almost appointed to become the 1st Chief of the USFS. Please keep the quote in mind as you finish planning this timber sale. You cannot destroy trees without roads.

"Any fool can destroy trees. They cannot run away ... God has cared for these trees, saved them from draught, disease, and avalanches ... but he cannot save them from fools"

John Muir

from "Save the redwoods", 1900

John Muir was a prophet. Over 100 years ago he was able to predict what an agency led by a person trained in industrial forestry in France (Gifford Pinchot) would emphasize in 188,336,179 acres of national forest land ... timber production.

Even if it were consistent with all of the United States environmental laws (which it isn't), your pre-decisional EA is the most poorly written I have ever encountered. I know what a good one looks like. I retired from the USFS after 31 years as the forest NEPA coordinator.

Sadly, IDT members believe that the USFS would never propose a project that might harm one of the countless important forest resources. How were they fooled? They are unaware the USFS has a well structured mind-manipulation scheme that works on people without their knowledge. It started on their first day on the job. The things they were told by their peers and the "official" things they read convinced them the USFS is a wonderful agency dedicated to maintaining properly functioning natural resources in the forest. It didn't take long for them to believe the USFS could do no wrong.

You are Required to Mitigate ALL Predicted
Adverse Effects Caused by your Timber Sale and Monitor the Mitigation for Effectiveness.

Request for changes to be made to the final NEPA document: Include a section that describes the required mitigation measures designed to reduce adverse effects resulting from timber sale activities that might or could be affected. Include the monitoring plan to measure the mitigation effectiveness.

If you don't you will violate:

40 CFR Sec. 1502.14(f) and 40 CFR 1502.16(e, f, g, and h) "because you have failed to require effectiveness monitoring on all mitigation designed to reduce the predicted adverse resource effects caused by your timber sale."

FSH 1909.12 - LAND MANAGEMENT PLANNING HANDBOOK CHAPTER 10 - 12 Monitoring:

"The plan must describe a monitoring program for the plan area (36 CFR 219.6(b)) that establishes monitoring questions and associated performance measures. Monitoring questions must link to one or more desired condition, objective, or guideline. Not every desired condition, objective, and guideline must be associated with a monitoring question. When developing the monitoring program, the Responsible Official shall:

1. Use an interdisciplinary approach and involve the public (36 CFR 219.9(a)).
2. Consider multi-agency approaches.
3. Design the monitoring program to form the basis for continual improvement (adaptive management).
4. Focus on key plan components where plan implementation is likely to cause a change over time.
5. Address the minimum timber management requirements of the National Forest Management Act, for example, restocking, cut block size and shape, and watershed protection."

40 CFR Sec. 1505.2(c) because you have failed to adopt a monitoring "enforcement program where applicable for any mitigation."

The January 21, 2011 CEQ Final Guidance for Federal Departments and Agencies on the Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact in the Federal Register. The link is below.

<https://www.federalregister.gov/documents/2011/01/21/2011-1188/final-guidance-for-federal-departments-and-agencies-on-the-appropriate-use-of-mitigation-and>

This direction is not ambiguous or hard to understand. Here are some quotes from the CEQ guidance:

"SUMMARY:

This guidance outlines principles Federal agencies should apply in the development of their NEPA implementing regulations and procedures to guide their consideration of measures to mitigate adverse environmental impacts in EAs and EISs; their commitments to carry out mitigation made in related decision documents, such as the Record of Decision; the implementation of mitigation; and the monitoring of mitigation outcomes during and after implementation."

The last task shown in the USFS NEPA flowchart is "Implementation with monitoring as provided in the decision"
<https://www.fs.usda.gov/emc/nepa/revisions/includes/docs/NEPAProcessFlowchart-508.pdf>

Forest Service Handbook 1909.12 Chapter 30
https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5409877.pdf

The Forest Service's Monitoring and Evaluation Framework states:

"The NFS Monitoring and Evaluation (M&E) Framework responds to the National Forest Management Act of 1976 (16 USC 1600-1614). Through this law, Congress has directed the Forest Service to use monitoring and assessment to evaluate the effects of land management."
<https://www.fs.usda.gov/emc/met/>

The Pre-Decisional EA does not Discuss how
the Road Work Activities will be Mitigated to Assure
Protected Migratory Bird Species' Individuals and their Habitat
are not Harmed in any way.

At page 69 you tell the public you comply with the Migratory Bird Treaty Act without telling us how you will protect the birds and their eggs, nests during treatments.

Your References section does not contain the following important literature or comparable literature; therefore your migratory bird discussions are based on unsubstantiated speculation. The public expects more. You might consider this:

Neotropical Migratory Bird Conservation Act CONSERVING BIRDS ACROSS THE AMERICAS
Published by U.S. FISH AND WILDLIFE SERVICE
<https://www.fws.gov/birds/grants/neotropical-migratory-bird-conservation-act.php>

Neotropical Migratory Birds
Published by National Aviary of Pittsburgh
<https://www.aviary.org/conservation/projects/neotropical-migratory-birds/>

Neotropical Migrant Birds - The Basics
Published by Wisconsin Society for Ornithology
https://wsobirds.org/images/pdfs/FS_neotropical_migrants.pdf

Neotropical Migratory Bird Basics
Published by Smithsonian Migratory Bird Center
http://www.fairleeforest.org/resources/SIMigratory_Bird_Basics.pdf

Neotropical Migratory Bird Conservation Act
Published by National Audubon Society
<https://www.audubon.org/conservation/neotropical-migratory-bird-conservation-act>

This will show you what a professional analysis of these birds looks like:

"NEOTROPICAL MIGRATORY BIRDS" for the SUGARBERRY PROJECT (23 pages)
By Cindy K. Roberts, Wildlife Biologist
Feather River Ranger District, Pumas National Forest
https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fsm9_034861.pdf

It is not only possible but highly likely that that road decommissioning will harm the habitat and/or kill individual birds. This is especially true of young birds that cannot flee the danger: The Treaty requires the NEPA document to include specific information showing what will be done to assure the following damage will not occur.

"harm the birds with logging-related pollution",
"detrimentally alter the bird's habitat",
"environmentally degrade the area surrounding the bird's habitat", and
"kill bird chicks by destroying their nests or eggs".

Note: The 4 quotes above come directly from the Act.

The plaintiffs' attorney will expect the NEPA document to contain this information.

You do not do this.

Your East South Fk pre-decisional EA doesn't come close to complying with the Act.

Request for changes to be made to the final NEPA document: Identify the Migratory Birds that exist in and near the project area that are protected under the Migratory Bird Treaty Act and discuss what you will require to assure these birds will be protected during road decommissioning. The Act makes no allowance to consciously harm these birds for any reason.

Failure to do this will violate the Migratory Bird Treaty Act

Most USFS Line-Officers Obliterate Sediment
Producing Unauthorized Roads Immediately after they
have been Discovered. You Allow them to Pump
Sediment into the Streams Indefinitely. It's past the
Time for you to Enroll in a Basic Training
Course in Aquatic Health.

At page 3 you tell the public you have unauthorized roads in the sale area. :

Alternative B at page 12 says you will decommission unauthorized roads or converted them to other road or trail classifications. Line-officers who care about keeping sediment out of existing streams always obliterate unauthorized roads immediately after they have been discovered.

Alternative C at page 15 says your unauthorized routes "would remain on the landscape." This shows the Responsible Official does not understand unauthorized routes.

Alternative D at page 17 says 1.18 miles of your unauthorized routes will be converted to an ATV<50" trail, a 0.15-mile unauthorized route will be designated as a maintenance level 2 system road, and a 3.23-mile unauthorized route will be decommissioned and the non-motorized trail would be retained.

Line-officers who care about keeping sediment out of existing streams always obliterate unauthorized roads immediately after they have been discovered.

Competent USFS land managers know what to do right after an unauthorized, user-created roads is discovered. They must be removed from the landscape completely (obliterate) and pile rocks and logs after they have been hydrologically stabilized so they won't be reconstructed.

Don't forget P&N #2 at page 4 says:

2. improve watershed conditions and fish habitat by reducing negative impacts from dispersed recreation, decommissioning unneeded routes, and managing for motorized use.

Is this just a silly, unachievable goal?

Comment: How many years have your unauthorized roads existed? How many tons of sediment enter the streams each year because you ignore them?

I cannot believe, you propose to add unauthorized roads to your road system. ATV riders are not road locators. They often build their "roads" in the worst places. They aren't concerned about water quality and obviously neither are you. Allowing unauthorized roads to remain on the landscape clearly shows you are not concerned about these roads and do not care about aquatic health. Please be a professional and do what many other line-officers do to protect aquatic habitat.

On October 30, 2006 USFS Chief Bosworth announced the Four Threats to the Health of the Nation's Forests and Grasslands. Number 4 was "Unmanaged Recreation." Here's an excerpt:

"Only a small number of OHV users who use their vehicles going cross-country leave lasting traces on the land. However, even this small percentage has created undesired impacts."

So what do you do? You add these unauthorized roads to your road system.

Request for changes to be made to the final NEPA document: Tell the public all unauthorized roads that you know about will be obliterated and rendered hydrologically stable. After obliteration the running surface will no longer exist.

If you fail to do this, you will violate:

40 CFR 1500.2(f) because you did not "use all practicable means" "to restore and enhance the quality of the

human environment and avoid or minimize any possible adverse effects of their actions upon the quality of the human environment.