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First name: Trisha Allison

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Organization: U.S. Department of the Interior

Title: Regional Environmental Officer

Comments: Attached please find the Department of the Interior's comments on the DEIS for the Northwest Forest Plan Amendment.

In Reply Refer To: ER24/0492

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Electronically Filed

March 17, 2025

Priya Shahani, PhD

Northwest Forest Plan Amendment Lead

U.S. Forest Service 1220 SW 3rd Avenue Portland, Oregon 97217

Dear Dr. Shahani:

The U.S. Department of the Interior (Department) - through its bureau the U.S. Fish and Wildlife Service (Service) - has reviewed the Draft Environmental Impact Statement (EIS) for the Northwest Forest Plan Amendment. These comments are offered for the U.S. Forest Service's (USFS) use in developing the Final EIS for the Northwest Forest Plan Amendment.

The Service is deeply appreciative of the ongoing coordination and collaboration with the USFS as it proposes to amend the 1994 Northwest Forest Plan. In the 30 years since the Northwest Forest Plan was signed, the Service and the USFS have consistently partnered to support the multiple objectives of the Plan, and the Service stands ready to collaborate on an Amendment that fosters sound stewardship of critical Pacific Northwest natural resources, including conservation of forest habitats and Endangered Species Act (ESA) listed species. Teams from both agencies have been meeting regularly to discuss the National Environmental Policy Act process, specific components of the alternatives, and how these will contribute to consultation processes under the ESA. The Department is supportive of the USFS's effort to update the Plan to address current and future challenges and opportunities, including sustainable timber harvest, the revitalization of prosperous rural communities, and the increasing risk of wildfire.

The Service views the Northwest Forest Plan as an essential blueprint for species and forest habitat conservation across the Plan area. The Department is encouraged by the ongoing coordination between our respective teams and looks forward to continuing to collaborate on plan components and the Affected Environment and Environmental Consequences section as the USFS progresses towards a Final EIS.

Specifically, the Service is interested in continued coordination around the following topic areas, some of which were previously communicated in a preliminary summary of comments on the Northwest Forest Plan Amendment DEIS (transmitted January 2025, attached):

1. Management of Late Successional Reserves (LSRs) in Dry Forests: The Service supports active fuels management in dry forest LSRs to increase fire resiliency and maintains these actions can be implemented in a way that is compatible with ESA-listed species survival and recovery needs. The Department recommends that the Final EIS include detailed information on how dry forest LSR management differs among the alternatives, particularly around altered management scales (from forest stand scale to individual trees) and the resulting availability of closed canopy forest habitat.
2. Management of LSRs in Moist Forests: The Department recommends that the Final EIS provide robust descriptions of stand conditions that would benefit from treatments necessary to meet LSR objectives and how altering the stand age for treatments will affect the overall availability and function of LSRs in moist forests.
3. Community Protection Areas: The Service strongly supports activities that protect at-risk communities from wildfire risk. The Final EIS should include clear geographical delineations and descriptions of management actions likely to occur in these areas to allow for robust evaluation of habitat availability and effects to species.
4. Northern spotted owl (NSO) habitat retention: The Department supports carrying-forward to the Final EIS those concepts from Alternatives C and D that prioritize retention of fire- resilient habitat for NSO conservation and increasing fire resilience in areas where NSO habitat is at risk.

The Department greatly appreciates the continued partnership between the Service and the USFS as the USFS progresses toward development of a Final EIS and a preferred alternative. If you have questions about these comments, please contact Kessina Lee, U.S. Fish and Wildlife Service's Oregon State Supervisor at (971) 442-0560 or via email at kessina_lee@fws.gov. If there are any other questions or concerns, then please contact me at (503) 720-1212 or via email at allison_hall@ios.doi.gov. We appreciate the opportunity to comment.

Sincerely,

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Regional Environmental Officer

Attachment as stated

cc: Hugh Morrison, FWS Kessina Lee, FWS Jill Russi, FWS

Jared Bottcher, FWS Mark Brown, USFS

In Reply Refer To: FWS/R1/OFWO

United States Department of the Interior

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Priya Shahani, PhD NWFP Amendment Lead

U.S. Forest Service 1220 SW 3rd Ave Portland, OR 97217

Mark Brown

NWFP Program Manager

U.S. Forest Service 1220 SW 3rd Ave Portland, OR 97217

Subject: Summary of U.S. Fish and Wildlife Service preliminary comments on the Northwest Forest Plan Amendment Draft Environmental Impact Statement

Dear Priya and Mark:

The U.S. Fish and Wildlife Service (Service) is grateful for the ongoing collaboration with the

U.S. Forest Service (Forest Service) in the Forest Service's process to amend the Northwest Forest Plan (NWFP). This collaboration continues decades of partnership and investment by both of our agencies under the NWFP to ensure sustainable forest management that supports the conservation of Endangered Species Act (ESA) listed species.

We appreciate the opportunity to comment on the NWFP Draft Environmental Impact Statement (DEIS). The Service intends to submit detailed comments by the close of the public comment period on March 17, 2025. The attached comments are a preliminary summary of the Service's comments on the NWFP DEIS in support of ongoing interagency consultation discussions for the NWFP amendment.

The Service is deeply appreciative of the collaboration occurring with the interagency coordination teams, in which the Service and the Forest Service have discussed many of the issues identified in these comments. We look forward to this continued partnership as the Forest

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Idaho, Oregon*, Washington,

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Service finalizes changes in the EIS and establishes a proposed action for use in the ESA Section 7 consultation.

If you have any questions, please contact Jared Bottcher (Jared_Bottcher@fws.gov), Mike Asch (Michael_Asch@fws.gov), or Colleen Holland (Colleen_C_Holland@fws.gov).

Sincerely,

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Oregon State Supervisor

The U.S. Fish and Wildlife Service (Service) appreciates the opportunity to comment on the U.S. Forest Service's (Forest Service) Northwest Forest Plan Amendment Draft Environmental Impact Statement (NWFP DEIS). The Service intends to submit detailed comments by the close of the public comment period on March 17, 2025. The following letter is a preliminary summary of the Service's comments on the NWFP DEIS in support of ongoing interagency consultation discussions for the NWFP amendment.

We recognize the Forest Service is amending the NWFP, in part, to address the increasing risk of severe wildfire occurrence and the impact severe fire has on both the human and natural environments while continuing to meet the recovery needs of species listed under the Endangered Species Act (ESA). We appreciate the Forest Service's early engagement with the Service on the Amended NWFP and ESA Section 7 consultation, including ongoing coordination on the comments addressed below. While National Environmental Policy (NEPA) documents are not intended to inform the ESA consultation process, the analytical assumptions and conclusions should be similar between the two analyses. Given that, our preliminary review focuses on assessing whether the proposed NWFP amendment alternatives provide sufficient direction to enable evaluation of the effects to ESA-listed species, such that the Service can provide a robust and defensible biological opinion.

Specifically, we discuss how changes in the proposed NWFP amendment may not adequately describe desired conditions, identification of treatment needs, or stand-age treatment limitations, such that the anticipated change in environmental conditions can be effectively analyzed under NEPA or ESA. Additionally, we include comments on the barred owl management approach described in the proposed NWFP amendment. We look forward to our continued collaboration on addressing these concerns as we progress through the ESA consultation process.

1. Confidence in Analytical Assumptions

The regulations implementing ESA section 7 (50 CFR 402.14(c)(1)(i)) require sufficient information, including details about the proposed action, to complete the species's effects analyses. Amended plan components should include clear targets and direction to guide consistent interpretation and implementation of those components. Below we summarize components of the proposed NWFP Amendment where the change in direction from the current NWFP lacks sufficient information to identify the scale and scope of potential impacts to listed species and their habitats.

1.

1. Desired Conditions

The proposed desired conditions in dry forests, including those within Late Successional Reserves (LSRs), focuses on open forests with retention of small patches of closed canopy and dense forest for heterogeneity (DEIS p. A1-21, FORSTW-ALL-DRY-DC-01). While heterogeneity is an essential ecological condition associated with dry forests, the proposed desired conditions do not include sufficient descriptions of the range of heterogenous conditions found within dry forests within the NWFP area. For example, both the northern spotted owl and coastal marten rely on extensive stands of complex, closed canopy forest, including the portions of their range within the broader [lsquo]dry forest[rsquo] landscape. This forest condition is not included in the current dry forest plan components. It is unclear if the Forest Service expects that existing large areas of complex, closed canopy forest will be typed as moist forest (DEIS p. A1-15, FORSTW-ALL-GDL-01), and thus be subject to a limited range of treatments and largely be retained on the landscape, or if the Forest Service expects a substantial reduction of complex, closed canopy forest within the broader dry forest landscape, as is indicated by the desired conditions. Without additional information in the plan components, it is difficult to determine the scale to which management in the dry forest will alter the availability of essential complex, closed canopy forest habitats.

The Service will continue to work with the Forest Service and the interagency consultation teams to clarify plan component language. The Service would like to include robust descriptions of heterogeneity within dry forests and the protection and maintenance of large blocks of dense, closed canopy dry forest as proposed in the spotted owl habitat retention requirements in Alternatives C and D. Plan components developed to support large blocks of dense closed-forest conditions should be worded in a manner that ensures consistent interpretation and implementation at the project level.

1.

1. Treatment Needs

The NWFP DEIS alternatives would expand the scale and intensity of vegetation management across the NWFP area, with the most substantial changes within forests determined to meet the criteria of dry forests. As described in the DEIS, the proposed NWFP amendment supports implementation of treatments that may result in unknown amounts of complex, closed-canopy forest, which provides habitat for several listed species. Decision-making tools for treatment prescription must be clearly defined and incorporate descriptions of desired conditions. These definitions will give the Service confidence that the proposed NWFP Amendment would support consistent project implementation and avoid widespread adverse impacts to listed species.

The decision-making tools outlined in the proposed NWFP amendment alternatives include ecological concepts, such as historic range of variation, resilience, and ecological forestry. These terms are commonly used to describe vegetation management approaches and ecosystem needs; however, application of these concepts varies in scale and scope and is heavily influenced by local factors. As such, there is a high potential for the current condition of a landscape to be assessed and described inconsistently across the plan area. Such inconsistency may result in treatments that do not align with the analytical conclusions in the DEIS or ESA consultation. For this reason, the Service recommends the use of transparent and collaborative processes in

applying the ecological concepts used to describe landscape specific desired conditions and associated treatment needs. Possible examples include the use of a transparent decision-making framework and the collaborative development of updated LSR assessments (see below) or a similar set of landscape level plans that would guide treatments.

1.

1. Stand Age Limitations

Along with stand type and land use allocation, management objectives and direction in the proposed NWFP Amendment vary depending on the stand age. Stand age is included within the current NWFP language for actions in LSRs and provides comprehensive protection of older forests. The NWFP Amendment increases the maximum age that treatment may occur in a stand to now include a broader range of stand conditions, including those that exhibit mature characteristics and listed species essential habitats. The inclusion of target stand descriptions within the NWFP Amendment's increased age limitations would provide essential context that contributes to both the assurance of consistent implementation and a clear understanding of the scale of potential impacts to species habitat. This is particularly important where the draft NWFP Amendment will expand treatment intensity within the LSR allocations.

For example, the proposed NWFP Amendment permits forest management treatments in the LSR within moist stands up to 120 years old (DEIS p. A2-9, FORSTW-LSR-MOI-STD-01). However, stands within this age class include a wide variety of conditions, including those that exhibit mature characteristics and stands that are densely stocked with low canopy-to-bole ratios and little canopy layering. Management objectives that describe the condition of stands targeted for treatment would assure that treatments will not unnecessarily impact forest stands essential for a listed species's ecological needs. Dry LSR management objectives should also include descriptive language regarding the condition of stands. Including descriptions beyond tree age, such as the largest cohort of trees within a stand that exhibit decadence associated with surviving past exposure to wildfire, provides context for vegetation management decisions and strengthens analytical conclusions.

1.

1. Late Successional Reserve Assessments

Alternative D includes a proposed management approach which encourages the use of LSR assessments [Id] as a tool for forests to describe and document how overarching plan direction applies in specific landscapes for large Late-Successional Reserves (or groups of smaller LSRs), and for forest supervisors to use to inform management decisions.[rd] (DEIS Appendix A2, p. A2- 8). LSR assessments may describe the specific desired conditions and overarching treatment needs within an LSR network and thereby guide project-level planning to achieve both fire resilience and species ecological needs. This type of framework would provide the landscape specific details bridging the broader plan direction to project-level implementation needs.

An essential component of current LSR assessments is the collaborative development required through coordination with the Forest Service's Regional Ecosystem Office (REO). The proposed amendment bypasses the interagency REO coordination by assigning review and approval of the assessments to the Forest Supervisor. It is important the Service is involved in developing or amending LSR assessments to ensure identified desired conditions or treatment exemptions will not trigger reinitiation of consultation on the NWFP Amendment. Collaborative LSR assessment revision and approval would provide a platform to describe landscape-specific desired conditions and treatment needs, which in turn would ensure the overall effects to listed species from treatments implemented under LSR assessment guidance remain consistent with the effects analyses within the DEIS and Amendment's forthcoming ESA consultation.

1. DEIS Analysis

The conclusions in the Biological Evaluation and Appendix C: Environmental Consequences assume that increased or expanded treatment activities unequivocally result in long-term positive outcomes and some projected short-term adverse impacts to listed species and their habitats. This conclusion is conditional on treatment design, implementation, and ongoing maintenance. For example, the most effective treatments to reduce the risk of severe wildfire include prescribed fire and maintenance treatments at regular intervals. A stand treated with only commercial thinning does not effectively reduce the risk of severe wildfire over time, while still potentially causing short-and long-term impacts to species and forest habitats.

To minimize ambiguity with changed conditions and compounding analyses within the DEIS, the Service recommends clearly describing how complex, closed-canopy older forest (spotted owl nesting habitat) distribution will change throughout the implementation period and across the alternatives. This information is necessary to support the effects conclusions in the Biological Resources issue question, and ultimately the NWFP amendment ESA consultation documents.

To confidently model the expected changes in conditions across action alternatives, the proposed components under each alternative should include robust and comprehensive desired conditions as well as a framework for designing treatment needs while balancing conflicting resource objectives where they arise.

1. Northern Spotted Owl

Northern spotted owl populations are declining across much of the NWFP area, especially in the northern portion of their range. As such, the Service is reviewing the DEIS alternatives for actions that degrade habitat conditions and stress individuals within a population that may not be resilient to potential reductions in numbers, reproduction, or distribution. The primary threats to spotted owls continue to center on habitat availability and distribution, and competition from non-native barred owls. The Service deeply appreciates the Forest Service's efforts to manage and conserve northern spotted owl habitat and monitor NSO populations under the 1994 Forest Plan. It is important for the Amendment to build on this success and to ensure existing and

additional habitat is functional for spotted owl individuals and populations. Barred owl competition remains the dominant threat across existing spotted owl habitat, ultimately resulting in adverse effects to spotted owl behavior, recruitment, and population viability. The Service maintains that spotted owl conservation requires a two-pronged approach of managing forest habitats and barred owl management.

In addition to the depletion of prey resources for the northern spotted owl, barred owls reduce the abundance and distribution of several forest-dwelling wildlife species. Barred owl management is a conservation tool that enables the Forest Service to regain ecosystem balance and reduce impacts to listed species from barred owl competition. Successful reduction of barred owl competition would allow for increased management flexibility by improving the resiliency of northern spotted owl populations. As imperiled populations are made more resilient to unavoidable adverse effects, it is possible to increase management flexibility through approaches that can include modification of conservation measures, and exemption of incidental take, as determined through ESA Section 7 consultation.

The Service is aware that interagency discussions are occurring regarding potential support for Barred Owl Management activities and potential inclusion in the NWFP amendment. While this coordination is occurring, the Service recommends the Forest Service include a comparative analysis of effects of the alternatives on spotted owl populations with and without barred owl management. The Service is concerned the proposed NWFP amendment does not commit to either barred owl management or spotted owl avoidance measures during project implementation, and how the absence of these types of commitments translate to assumptions within the ESA consultation. We look forward to continuing to work with the Forest Service on addressing the wholistic approach to NSO conservation during ongoing interagency coordination sessions.

1. Conclusion

The Service is deeply appreciative of the collaboration occurring with the interagency coordination teams, in which the Service and Forest Service have discussed many of the issues identified above. We look forward to this continued partnership as the Forest Service finalizes changes in the EIS and establishes a proposed action for use in ESA Section 7 consultation

ATTACHMENT-LETTER TEXT: ER24_0492 Final - DEIS USFS Northwest Forest Plan Amendment.pdf; this is the same content that is coded in text box; it was originally included as an attachment