Data Submitted (UTC 11): 9/24/2025 7:00:00 AM
First name: John
Last name: Buckley
Organization: CSERC
Title: Executive Director
Comments: COMMENTS ON THE PURPOSE AND NEED AND PROPOSED ACTION FOR

THE MOKELUMNE AMADOR CALAVERAS FOREST HEALTH AND RESILIENCE PROJECT

Introduction [ndash] Why ACCG agreements matter to CSERC

Since the initial formation of the Amador Calaveras Consensus Group, our Center has been a fully engaged participant with a strong commitment to finding areas of collaborative agreement. Over all those years, a key common objective has been to act in partnership with other ACCG members and the Forest Service to identify specific areas within the ACCG region where project treatments can reduce the risk of high-severity wildfire damage, can reduce the extent of tree mortality from drought and insect outbreaks, and can protect the health of watersheds that are vital to water quality, wildlife, and recreation.

The initial ACCG Phase 1 project on the Eldorado Forest was a positive step in planning and implementing treatments to support ACCG[rsquo]s objectives. This MAC Project is even more meaningful and significant in moving beyond good intentions by the Forest Service and ACCG to actually getting essential work done on the ground.

Pivotal to the MAC Project and to the ACCG group is the process of collaboration - keeping commitments and building upon consensus agreements. CSERC does not always fully agree with every specific position collectively agreed upon by ACCG [ndash] sometimes even after literally years of discussions, debates, and adjustments. However, once we have engaged in ACCG group discussions and we[rsquo]ve accepted consensus-based positions, we then firmly support the adopted positions. We recognize that there are many diverse interests and differing perspectives about forest management above and beyond our Center[rsquo]s focus on environmental protection. Consensus agreements are built upon trust, respect for differing views, and a willingness to compromise.

With these comments, we emphasize that it is pivotal for the Forest Service to follow through on past assurances from leaders with both national forests that if ACCG worked collaboratively in the planning, outreach for funding for surveys, and the design of a large landscape project, then the Forest Service would support the areas of ACCG agreement.

If both national forests stand by their past assurances to ACCG stakeholder participants, and if the MAC Project is approved fully consistent with the numerous agreements on key issues that ACCG has reached, CSERC will be able to provide strong public support and to advocate for the project.

SPECIFIC COMMENTS

WE SUPPORT THE PROPOSED ACTION WHERE CONSISTENT WITH ACCG AGREEMENTS

This initial broad comment section is one of the most important in our comments. Rather than detailing the scientific or ecological or social reasons why we support specifics of the Proposed Action, we narrowly clarify that we support these components of the Proposed Action because they are fully consistent with ACCG consensus agreements. CSERC supports:

1. FOREST THINNING DIAMETER LIMITS

* A forest thinning diameter limit of 30[rdquo] (with up to 35[rdquo] for operability) for Territories and General Forest.
* A forest thinning diameter limit of 20[rdquo] (also with the operability exception) in CSO PACs.

CSERC notes that there appears to be discrepancy in Appendix C, which discusses Forest Plan Amendments, where we believe the document incorrectly describes on page 66 in S & G 7 (b) that for a wide range of reasons tied to nebulous judgments by FS staff, trees up to 40[rdquo] DBH could be cut and removed in [ldquo]overly dense stands[rdquo] or [ldquo]to promote shade intolerant trees[rdquo] or to [ldquo]reduce loss of large diameter trees due to competition[rdquo] and for various other reasons. THERE WAS CLEAR AGREEMENT BY THE ACCG GROUP THAT THE DIAMETER LIMITS SHOWN IN TABLE 2 ON PAGE 10 WERE FULLY AGREED UPON TO BE THE DIAMETER LIMITS FOR THE MAC PROJECT. THERE WAS NEVER ANY AGREEMENT TO ALLOW TREES UP TO 40[rdquo] DBH TO BE CUT FOR THE GENERAL LIST OF REASONS THAT WERE DESCRIBED IN THE OUTDATED AND NEVER FORMALLY ADOPTED CONSERVATION STRATEGY FOR THE CA SPOTTED OWL DOCUMENT.

The contradiction of Appendix C for Forest Plan Amendments is directly at odds with the consensus agreement by the ACCG to apply the accepted diameter limits that came from months of stakeholder deliberations. CSERC strongly advocates that S & G 7 (b) - that allows trees up to 40[rdquo] DBH to be cut for multiple reasons tied to judgment - be removed from Appendix C and that the very clear diameter limit agreements reached by ACCG be upheld. This is a critical point that ties to our Center being able to fully support the final MAC Project and to be able to support ACCG applying for funding to implement the Project.

1. FOREST THINNING SPECIFICATIONS

As described in the Proposed Action, the MAC Project would allow treatment of 78,793 acres to reduce stand densities, to promote heterogeneity, and to create a mosaic of vegetative conditions often referred to by forest scientists as ICO conditions (scattered Individual trees, Clumps or patches of trees and Openings).

Table 3 spells out desired conditions such as 30-50% canopy cover, objectives for tree clump retention, stand density targets, desired species compositions, conifer encroachment, and plantation thinning. We accept each of those as written.

CSERC respectfully points out a concern that across the more than 100 square miles of forest thinning treatments that would be authorized by this Project, allowing openings to be created from 0.25 up to 2.5 acres provides no assurance that a large percentage of the treated forest may not end up in the larger openings of 2.5 acres in size. We suggest that artificially created logged openings either be limited to no more than 2 acres in size, or that the Forest Thinning Specification be adjusted to include a caveat as described below. If the Forest Service desires to keep the option for creating openings up to 2.5 acres in size, we recommend the following edit.

[ldquo]Individual openings created will be irregularly shaped and range from size from 0.25 to 2.5 acres, with openings having less than 10% canopy cover.[rdquo] (add) [ldquo]A project goal will be to limit the extent of the 0.25 to 2.5 acre openings (that are created by forest thinning treatments) to total no more than 30 percent of forest treatment areas.[rdquo]

1. FUELBREAK MAINTENANCE USING HERBICIDES (UP TO 300 ACRES PER YEAR)

Again, without going into detailed reasons that have been exhaustively discussed within ACCG and with USFS participants in ACCG sessions, CSERC accepts and supports the adoption of the ACCG consensus agreement to allow a maximum of 300 acres of herbicide treatments per year on each district.

1. NON-NATIVE INVASIVE PLANT TREATMENTS

There is no need to repeat CSERC[rsquo]s position related to the range of treatments that can be applied to the control and eradication of non-native invasive plants. Similarly,CSERC shares support for the Proposed Action prescriptions and priority selection of treatments concerning noxious weeds as they are written. The implementation plan and description of treatment methods (including that they be considered in an order of preference) are consistent with ACCG agreements. Whether or not those agreements are ideal from CSERC[rsquo]s perspective, we nevertheless applaud the Forest Service and members of ACCG for coming to that middle ground to enable the MAC Project to deal with the challenges of invasive weeds.

However, separate from our support for the treatment methods and order of consideration, we see on page 29 the long list of non-chemical methods or treatment. The very last treatment method is shown as Biocontrol Agents. With all due respect to the authors of the Proposed Action, to our knowledge there has never been any discussion in all the years of Project design for potentially using biocontrol agents. If that was someplace on a list, it was never discussed.

The potential for a biocontrol agent to unpredictably result in highly significant impacts when introduced into the forest environment is a risk that is very concerning to CSERC. We respectfully point out that it is not in any way essential to the objectives and purpose and need of the MAC Project. We strongly urge that Biocontrol Agents be removed from the list on page 29 of non-chemical treatments to be authorized for use within the MAC Project. If at some point it is deemed necessary to consider use of Biocontrol Agents, then that use can be analyzed in a separate focused NEPA analysis.

1. FUEL REDUCTION

CSERC supports the fuel treatment types described in the Proposed Action and does not see potentially significant issues of concern with the extent of fuel treatments that include 11,670 acres in CSO PACs and 7,446 acres in Territories (along with other treatments which overall treat 42,509 acres).

However, later in these comments we will address specifics concerning management of CSO in the Project area and related issues.

Issue of the degree of soil disturbance

On the top of page 18, the document states that [ldquo]...mulching mastication is used to incorporate material into the soil to reduce resulting surface fuels...[rdquo]

Having seen troubling levels of significant soil disturbance on a 2024 ACCG Amador District field trip at levels that were highly unnatural and that have numerous issues of concern, CSERC strongly urges staffs of both forests to carefully manage and constrain mulching mastication of soils. For a positive example to scrutinize and replicate, on a recent CSERC visit to the [ldquo]G to Z[rdquo] project on the Stanislaus Forest north of Beardsley Reservoir, in some units there was widespread mulching disturbance of the soil and slash mixed into the soil without creating deep furrows, gullies, highly altered soil profiles, and negative visual effects. CSERC recommends limiting the depth of soil mulching to generally no deeper than 6-8[rdquo] as a management strategy to achieve the desire benefits of tilling/masticating slash into the soil without significantly creating much deeper or higher torn-up pockets of soil with branches and woody chunks sticking out.

Fuel Reduction Specifications [ndash] TABLE 6

After careful review of the desired conditions and the resulting fuel reduction specifications in Table 6, CSERC supports all of the desired conditions and the description of the specifications.

We do, however, raise a question related to Tree Retention Live Tree Limit. That specification spells out the requirement to retain live trees greater than 10[rdquo] DBH. CSERC respectfully questions why the diameter limit for fuel reduction does not allow a larger DBH limit of 12[rdquo] DBH? The forest in the Project area overall is highly overstocked with too many small trees. If fuel reduction treatments are allowed to remove 11[rdquo] and 12[rdquo] DBH trees, then fuel reduction treatments are certain to remove far more incense cedar and white fir understory trees that exacerbate fuel ladder issues in the case of wildfires.

This is not a point that we believe was carefully discussed and debated in ACCG meetings, but it was instead a carryover from previous project discussions. CSERC recommends that in fuel reduction treatments, live trees to be retained be defined with a limit of not removing trees larger than 12[rdquo] DBH instead of 10[rdquo] DBH.

AREAS WHERE WE BELIEVE ADJUSTMENTS ARE NEEDED

1. FUEL BREAKS

As described in the Proposed Action, the Project would allow nearly 22,000 acres of fuel breaks with widths of 1,000[rsquo] along highways and widths of 500 feet elsewhere. This would result in 30 square miles of area treated as fuel breaks. The amount of acreage to be fuel breaks is a highly significant amount of land that will be affected. CSERC agrees that fuel breaks in many locations can provide benefits in enabling suppression crews in having a safer location from which to fight the spread of potentially severe wildfires. However, based on our staff[rsquo]s expertise on fuels and suppression, we do not agree that wider fuel breaks are always beneficial.

During discussions within ACCG and with the Forest Service, CSERC agreed to not oppose the very broad width of fuel breaks as proposed by the Forest Service within the Project area. However, the prescription for what is allowed within those 22,000 acres truly matters for wildlife, in particular.

It is a concern to our Center that as the endangered Fisher slowly expands and repopulates northward into vacant Fisher habitat, forest treatment prescriptions should not create broad areas without forest connectivity that could block movement by Fishers or other arboreal furbearers. Fishers either travel from tree to tree or drop down for short distances to the forest floor to take advantage of cover provided by bushes, small trees, or terrain features that allow them to move with some protection from predation by mountain lions or bobcats, in particular.

While fuel breaks of 300[rsquo] in width have consistently shown (as near Pine Grove) that they can be effectively utilized by fire suppression crews to help contain and control spreading wildfires, CSERC recognizes that some may believe that wider is better, and thus fuel breaks of 500[rsquo] or more might be preferable to somewhat narrower widths. CSERC does not agree with that premise, but we have accepted the 500[rsquo] width as a standard width for most fuel breaks within the MAC Project. However, we strongly believe that outside of the 300[rsquo] (inner core) of a 500[rsquo] fuel break, there is no proven benefit for eliminating all snags in the 100[rsquo] outer core on either side of the 500[rsquo] fuel break or on the outer edges of the 1,000[rsquo] highway corridor fuel break.

As described in the documents, the Proposed action does not envision applying differing treatments within fuel breaks or defining an inner core or outer core. But for purposes of mitigation to provide stepping stone habitat features for furbearers and other snag favoring wildlife, the Project could meet multiple objectives by retaining a very limited number of short snags (25[rsquo] or shorter in height) within the 100[rsquo] outer core of the Project[rsquo]s fuel breaks that would (a) allow for retaining a limited number of snags for snag-dependent wildlife within a few thousand acres of the 22,000 acres of fuel breaks, and that (b) would specifically provide stepping stone safer movement areas for Fisher and other arboreal species that are so vulnerable to predators when traveling on the ground.

CSERC asks that the final MAC Project decision adjust prescriptions for proposed fuel breaks to provide: (add) [ldquo]Where snags of 25[rsquo] height or shorter occur within the outer 100[rsquo] of fuel breaks, a limited number of such snags will be retained at distances no closer than 500[rsquo] from another such fuel break snag when a wildlife biologist determines that the snag will provide meaningful habitat value and fuels staff concur that retaining the snag will be consistent with treatment objectives.[rdquo]

Similarly, down logs are exceptionally valuable habitat for a wide range of wildlife ranging from voles to lizards to salamanders to countless other species. As now described in page 21 of the Proposed Action, [ldquo]some[rdquo] downed logs could be retained where deemed appropriate.

CSERC asks that the Specifications text on page 21 be revised to read: [ldquo]Retain one downed log per acre in the outer 100[rsquo] of fuel breaks unless resource specialists deem that - for meeting the effectiveness objective of the fuel break [ndash] retaining a specific down log is not appropriate.[rdquo]

1. DOGWOOD RETENTION

CSERC is appreciative that ACCG members and the project team agreed to provide specific retention language for dogwoods separate from the general requirement to retain all hardwoods with a DBH of 12[rdquo] or greater.

However, we have two concerns. There is the Species-Specific Tree Retention Requirement on page 39 with direction to retain dogwoods with a DBH of 8[rdquo] and greater as well as smaller dogwoods to the greatest extent feasible, and there is also a brief summary noting dogwood retention in the Fuel Reduction Specifications requirement on page 19. But no such dogwood retention requirement is included in Hardwood Retention in Table 3 on page 11, nor is any dogwood retention requirement summarized in Specifications on page 21. CSERC asks that the final wording for a dogwood retention requirement at least be summarized succinctly in all sections pertaining to limits for hardwood removal.

More important, as recently discussed with Brian McCrory, our staff has looked at dogwoods in various locations in the forest, and we find almost no mature dogwoods with a diameter of 8[rdquo] DBH or larger that would result in any protection. Literally, we found only a single dogwood of 8[rdquo] after viewing many clumps and many individual dogwood trees. Accordingly, providing a DBH threshold of 8[rdquo] DBH to protect dogwoods would be nearly meaningless. Most dogwoods of typical mature height only had diameters of 4[rdquo] [ndash] 6[rdquo] DBH with a few that might be 7[rdquo] DBH.

In order to actually benefit dogwoods (which are already suffering from decades of being shaded out by shade tolerant conifers in overstocked forest stands, CSERC recommends that the final plan for the MAC Project set a retention requirement for dogwoods of 6[rdquo] dbh along with retention to the greatest extent feasible for smaller dogwoods, where they do not compromise treatment objectives or operability.

This specific change, when applied across the 200 square miles of thinning logging, fuel breaks, and fuel reduction treatments in the Project area, would significantly benefit a stressed ecosystem component. Dogwoods are one of the least flammable plants in the forest, and they pose extremely low risk of carrying fire and almost zero risk of spotting.

1. CUMULATIVE EFFECTS

CSERC asks that in order to accurately assess the potential significant environmental effects of the largest single forest treatment project ever considered for approval in the central Sierra Nevada region, that there be at least a focused analysis of the most basic sources of potentially significant cumulative effects. It is not just the gigantic MAC Project that poses a high potential for cumulative impacts. Because there are so many tens of thousands

of acres of private commercial timberlands that are interspersed amidst the MAC Project acres - with thousands of acres to be clearcut and converted to tree plantations during the next 10 years [ndash] it is important to provide an analysis of cumulative effects for the MAC Project matters due to the combination of public land and private land forest treatments.

As one key example we ask to have addressed (separate from potential wildlife and watershed cumulative effects), there is the issue that was described and discussed on the ACCG field trip last week. When an area has been opened up by the creation of a fuel break or by forest thinning, then that newly open area immediately invites trespass or unauthorized use by off-road-vehicles, 4WD vehicles, and other users. Many resource impacts can be the result.

Accordingly, for the 200+ square miles within the Project area that are planned to be opened up by logging and fuel reduction treatments, CSERC asks that the MAC Project describe appropriate and realistic mitigation measures to reduce unauthorized OHV use, potential intrusion into treated areas by 4WD vehicles, and the resulting harmful impacts to soil, water, and recovering groundcovers, sensitive plants, and wildlife habitat.

1. EXTENT OF LOGGING TREATMENTS ON STEEP SLOPES AND RESULTING SLASH

Page 9 of the document shows that 9,607 acres are planned to be approved for forest thinning treatments on slopes greater than 45%. In past years, a general limit for heavy equipment working on slopes was set at 35%. Since then the limit has expanded to 45%, and now in this project, we see that ground-based mechanized equipment may be operated on slopes steeper than 45%.

In addition, the Project would allow aerial-based logging along with skidding on slopes that are even steeper. That could be either cable logging treatments or helicopter logging.

Both of those methods can effectively remove trees, but in both instances on such steep slopes it is normally not feasible for mastication equipment to work to deal with the resulting slash, nor will mastication be done to reduce ladder or surface fuels. Basically, only sawlogs will be removed.

CSERC asks that the Project provide language directing that sawlog removal by forest thinning on steep slopes will only be authorized where there is assurance that logging slash that adds to ladder and surface fuels will be realistically treated after sawlogs are plucked off the steep slopes. We ask that the language spell out that hand cutting, piling of slash, and other fuel treatments shall be done rather than leaving logged areas now having added levels of fuel due to logging slash.

1. IMPORTANT ISSUE OF FAILING TO DISCUSS REGIONAL CA SPO GUIDELINES

As Forest staff are aware, within the countless ACCG discussions related to objectives and requirements for canopy cover within Territories and the related topic of defining highly suitable habitat, there were differing views by ACCG members. CSERC[rsquo]s position favored erring on the side of forest treatments so that if a hot wildfire burned into CSO habitat, the treatments would in many cases reduce to some degree the mortality of large, pivotally important trees and also result in a higher residual canopy cover.

We recognize, however, that very legitimate alternate perspectives can advocate for retaining the high levels of canopy cover and medium-large trees in Territories in order to not reduce habitat suitability in the short term. Differing trade-offs and priorities can lead to alternative priorities for this topic within the ACCG group.

However, both within the Proposed Action and in Appendix C, there is no discussion of the June 2024 Regional Guidelines (Forest Plan Amendments) for the CSO that were firmly asserted by the Region to be the required planning direction in large landscape plans. As Stanislaus Forest staff know, CSERC communicated points of disagreement to Region 5 biologists concerning those CSO Forest Plan Amendments and Guidelines for project management. We favored proactive treatments that might be negative in the short term for the owl, but potentially meaningful in the long term.

Those regional CSO guidelines were clearly judged by Regional staff to be the best available science. Accordingly, even when our Center[rsquo]s scoping comments recommended consideration in the MAC Project of alternatives that would analyze 40% canopy cover as a target vs 50% canopy cover and that would only require 40% suitable habitat retained in a Territory post treatment, those recommendations were for analysis and comparison purposes. Instead, as now presented, the Proposed Action and the Forest Plan Amendments in Appendix C (as well as the Response to Comments) all completely ignore and avoid any consideration of the 2024 Regional Guidelines. It is unreasonable and contrary to legal requirements for the agency to simply state that there has been a change in leadership and agency direction, so that the most recent [ldquo]best available science[rdquo] does not even need consideration.

CSERC recommends that the MAC Project planning documents spell out the differences between the CSO management as planned within the Proposed Action versus applying the CSO Guidelines (Forest Plan Amendments) in the 2024 direction from the Region. We ask that the MAC Project planning documents explain why the Project as proposed does or does not comply with the Region[rsquo]s 2024 Guidelines, and, where possible, that the Forest Service provide some modeling comparison of what the difference would be in Project treatments between complying with the 2024 CSO Guidelines and not complying with their requirements.

1. TREATMENTS IN WILD AND SCENIC RIVER ACRES OF ELIGIBLE VERSUS SUITABLE

The history of planning determinations for segments of the North Fork Mokelumne River is not discussed within the current documents. The fact that a 10.5-mile section of the river was originally determined to be eligible for Wild and Scenic River status is not made apparent. So reviewers of the MAC Project may not be aware that the FERC rejected the hydroelectric dam proposal that was the basis for the Forest Service revising the 10.5-mile section of the river to be suitable instead of eligible. This matters in the Proposed Action since the proposed treatments differ between the 10.5-mile section and the rest of the river that was kept in a designation of [ldquo]eligible.[rdquo]

CSERC recommends that the Forest Service undertake a speedy reassessment of the 10.5-mile section of the North Fork Mokelumne River that was originally judged to be eligible for Wild & Scenic status, but which was downgraded due to the potential for the hydroelectric project that ended up being rejected by the FERC. Reassessment would not delay project approval because that 10.5-mile section was already studied and deemed eligible by the Forest Service previously. Once determined by the reassessment to again be eligible, that section would be recommended by CSERC to be managed in the MAC Project with fuel reduction and other treatments that would be consistent with Wild & Scenic River corridor management.

1. SPECIFIC MITIGATION REQUIREMENTS FOR PRESCRIBED BURNS AND MANAGED WILDFIRES

CSERC has consistently been a strong advocate for extensive application of broadcast burning in order to reintroduce fire into the forest environment and to reduce surface and ladder fuels. We provide our acceptance for the proposal to basically authorize the use of prescribed fire anywhere within the boundaries of the MAC Project. We [ldquo]accept[rdquo] rather than [ldquo]endorse[rdquo] that proposal because in reality there will always be specific areas or sites within the national forest where sensitive species, recreational objectives, scenic resources, or other values may justify NOT applying broadcast burns as an appropriate treatment.

If the final MAC Project does authorize the use of prescribed fire anywhere and everywhere within the Project[rsquo]s boundaries, CSERC believes it is important to elaborate more clearly what mitigation measures, management requirements, and Best Management Practices will specifically be required to protect Threatened and Endangered Species. The measures now listed on pages 34 and 35 of the Proposed Action are generally positive. But, for example, the requirement to not allow fires to be ignited in riparian conservation areas does not adequately protect foothill yellow-legged frogs, Yosemite toads, willow flycatchers, and western pond turtles.

The positive requirement (D)(i) for consulting with a biologist prior to implementation of prescribed fire in suitable habitat does not acknowledge that there may be almost no biologists on staff in either national forest due to administrative actions or that the limited biologists have no capacity to implement warranted surveys in specific areas planned for activity.

CSERC asks that the final MAC Project at least identify reasonable and feasible protective buffer areas along riparian corridors or around lakes and ponds where extra mitigation measures shall be required to minimize risk

to T & E frog species, Yosemite toads, western pond turtles, and any other federally listed species vulnerable to impacts from broadcast burns and especially from managed wildfires.

CLOSING SUMMARY OF COMMENTS

After so much time and collaborative effort invested in the development of this truly massive project, it is the hope of our staff that the Forest Service will finalize a project that ends up consistent with collaborative stakeholder agreements and that does not narrowly prioritize the expected benefits of doing fuel treatments at the expense of water, wildlife, recreation, and other important resources.