



SIERRA CLUB

WYOMING CHAPTER

May 18, 2019

USDA Forest Service, Region 2
Rocky Mountain Region
Attn: Objection Reviewing Officer
1617 Cole Blvd, Building 17
Golden, CO 80401
Submitted via email to: r02admin_reveiw@fs.fed.us

RE: Objection-Landscape Vegetation Analysis Project, Medicine Bow National Forest

To Objection Review Officer,

The Sierra Club and its Wyoming Chapter submit the following objection to the decision of the U.S. Forest Service in selection of the proposed action alternative as analyzed in the Landscape Vegetation Analysis Project Final Environmental Impact Statement (FEIS). The Sierra Club is one of the nation's largest and oldest grassroots environmental organizations. The Wyoming Chapter has over 1,100 members who enjoy Wyoming's forests, deserts, and mountains. The Medicine Bow National Forest is extremely important to many of our members who use it for recreation and value its wilderness, roadless areas, and wildlife habitat. As we mentioned in our initial comments for the LaVA project Draft Environmental Impact Statement (DEIS), it is a paramount concern of our members and supporters to maintain and enhance the opportunity to enjoy a multitude of recreation activities in the Medicine Bow, especially in places that remain without motorized roads or trails and without intensive and continual management (logging, thinning, mastication, etc.).

We appreciate the modifications to the proposed action in the FEIS, including the removal of commercial logging and temporary road construction in inventoried roadless areas, as well as restricting commercial logging from the Sheep Mountain Federal Game Refuge. However; we still have concerns regarding the scale, cumulative impacts, and lack site specific analysis within the FEIS for the project. Our objection to the proposed action as detailed in the FEIS for the Landscape Vegetation Analysis is based on the following concerns:

1. Purpose and need, National Forest Management Act 1976 (NFMA)

This project considers a vast swath of the Medicine Bow National Forest for timber treatments and includes large sections of both the Snowy Range and Sierra Madre portions of the forest planning area. The project area open for consideration under LaVA totals approximately 850,000 acres or roughly 29% of the entire planning area for the 2003 forest plan. The justification for much of this large-scale operation is to align the forest with the desired conditions based on the 2003 forest plan and to protect homes and infrastructure in the wildland-urban interface (WUI). If completed, the LaVA project will be authorized for a 15 year period to bring the forest to the

desired condition of a forest plan that is 16 years old as of 2019. The National Forest Management Act states that forest plans should “...be revised (A) from time to time when the secretary finds conditions in a unit have significantly changed, but at least every fifteen years”.

As we stated in our initial comments, much of the expressed need for the project is to reduce risk of property damage from wildfire, though the FEIS states that only ~2% of the area authorized for treatment within the WUI contains homes. The FEIS goes into little detail as to which types of infrastructure and where critical areas within the WUI are located and how determinations for acreages were derived within each accounting unit. We understand the necessity of treatments to protect private property or for safety reasons, and also recognize the role of prescribed fire in forest management. We recommend, along with our recommendations in the following sections, to reduce the scale and scope of this project, and focus vegetation treatments including logging, thinning, mastication, and prescribed fire to a buffer zone around private property in the WUI.

2. National Environmental Policy Act 1970 (NEPA)

As we detailed in our comments for the DEIS, this Forest Service fails to take a hard look at the cumulative impacts or provide an adequate range of alternatives for such a large-scale project. Under the FEIS, the Forest Service plans to gather site specific information at the project stage after the final decision is made for LaVA; this limits the public’s opportunity to meaningfully comment on agency actions based on this site-specific information and also arbitrarily limits the agency’s obligation to meaningfully address concerns under NEPA. Without the detailed, on-the-ground analysis of the impacts and resulting forest conditions of the proposed action, the differences between the no action and proposed management alternatives are conjectural and based on the agency’s best guess of what on-the-ground impacts will look like in the future. We propose the Forest Service do a Programmatic Environmental Impact Statement for the treatment areas covered in the LaVA project, this enables the public to meaningfully comment on site specific actions while still allowing the Forest Service to take a holistic look at the forest.

3. Healthy Forest Restoration Act 2003 (HFRA)

The FEIS contains language about potential threats from “heavy fuel” or “large diameter” tree concentration in stands and on the ground, but says little about how large diameter trees will be retained. Under sections 102(e) and 102(f), the HFRA states that the “...Secretary shall carry out a covered project in a manner that— (A) focuses largely on small diameter trees, thinning, strategic fuel breaks, and prescribed fire to modify fire behavior, as measured by the projected reduction of uncharacteristically severe wildfire effects for the forest type (such as adverse soil impacts, tree mortality or other impacts); and (B) maximizes the retention of large trees, as appropriate for the forest type, to the extent that the trees promote fire-resilient stands.” The FEIS proposes 95,000 acres (~26% of the total treatment area) of “stand-initiating or even-aged treatments (for example, clearcutting)”. On p. 148 the FEIS states that 41, 516 acres of old growth will be available for treatment, “as long as treatments maintain or promote old growth characteristics.” Along with the development of a Programmatic Environmental Impact

Statement, we recommend site-specific analysis of large diameter tree retention, completed prior to approval of the project.

4. Inventoried Roadless areas

The FEIS states that “the modified proposed action identifies roughly 123,000 acres, dispersed across 25 inventoried roadless areas, where treatment opportunities could be proposed and implemented during LaVA project, *(and that)* while no temporary road construction would occur in inventoried roadless areas, heavy equipment (for example, feller-bunchers, skidders, and masticators) could be operated within the boundaries of inventoried roadless areas to attain resource objectives implementation”. (FEIS, p 33) Because no alternative was analyzed where treatments in these areas were removed and because of the importance of these areas for quiet recreation and solitude for our members and supporters, we must reemphasize the lack of site specific analysis in these areas and the need to provide the public with a meaningful, NEPA based process for commenting on treatments within them. Furthermore, the 2001 roadless rule states in section 294.13 that, “the cutting, sale, or removal of timber in these areas is expected to be infrequent.” Authorization of mechanical treatments on 123,000 acres within these areas hardly adheres to this point and does little to help maintain IRA characteristics.

5. Road construction

As per our initial comments, 600 miles of new temporary roads are authorized under the LaVA project, though the FEIS provides little detail on where roads will be located, making a meaningful analysis of the direct, indirect, and cumulative impacts impossible. Furthermore, the FEIS gives little detail as to how the roads will be reclaimed within the required three year period post-treatment and what steps the Forest Service will take to ensure that roads are properly maintained, remain inaccessible to unauthorized users, and eventually be reclaimed. The transportation report estimates that temporary road construction would cost over \$3.5 million dollars in the 15 year period, including decommissioning. Considering that the Medicine Bow National Forest is one of the most heavily roaded forests in the United States, with thousands of miles of unauthorized-motorized routes, this level of analysis is insufficient. In response to our comment about the lack of site-specific information for temporary roads, the Forest Service stated,

“The accounting unit maps in chapter 3 have also been expanded to depict the existing road system, as well as the “no temporary road” construction areas, and the corresponding narratives have been expanded to include estimates of existing road densities. By knowing both the existing road density by accounting unit and where temporary road construction is prohibited by the forest plan, assumptions can be made about where temporary roads may or may not be needed during LaVA Project implementation.” (FEIS Appendix B, p. 14)

While we appreciate the extra detail in the accounting areas, the ability to make “assumptions” on where temporary road construction takes place is not an adequate response to our comments and is not sufficient enough for the public to meaningfully comment on. We propose again, to consider road construction through a Programmatic EIS that allows the public to

meaningfully comment and engage. Establishing a maximum number of miles (e.g. 25 miles) of new temporary roads that could be open at any given time could minimize the impact of additional roads, and could demonstrate to the public that the Forest Service is able to effectively prevent illegal motorized use.

6. Wildlife and Threatened Species

We found the Forest Service's analysis and rationale for threatened and endangered species to be misleading in places. For instance, on page 18 of the FEIS in reference to the importance of snowshoe hares and red squirrels for lynx, the FEIS states, "best available science has demonstrated that the abundance of red squirrel and snowshoe hare declines as a function of heavy tree mortality (Stone, 1995)". Though Stone, 1995 states right away in the abstract that "small and medium-sized mammal species were more abundant and diverse in stands with moderate and severe tree mortality than in stands with no or low (26-50 % dead) tree mortality." After reviewing further, the data clearly shows in figure 3.16 that snowshoe hare numbers increase as a function of tree mortality and red squirrel numbers increase at tree mortality rates up to 50% and don't significantly decrease until nearly 90% mortality. Miscalculations such as this, of science that's 24 years old, raise serious concerns about how the document is using science to inform the public.

7. Climate Change

Our comments submitted for the DEIS requested analysis of potential climate impacts as a result of mechanical treatments and the effects of removal of carbon stores as a result of logging and thinning treatments. The FEIS does expand its section on climate change, but goes into little detail and lacks meaningful analysis of the proposed project on the climate. Instead the climate change section in the FEIS focuses on national and global levels of greenhouse gas emissions and states that, "currently, there are no national or State-level legal requirements concerning the analysis of or compliance with any greenhouse gas emissions or sequestration regulations for landscape-scale vegetation management projects such as the LaVA Project." We had hoped for a more robust and project specific analysis in response to our initial comment. We suggest the Forest Service quantify anticipated greenhouse gas emissions and, to better inform the public, could utilize the social cost of carbon to put that quantification into perspective.

Thank you for your thoughtful review and consideration of our objection to the LaVa project. We are hopeful that the objection resolution period will be constructive and look forward to participating. Please don't hesitate to reach out if you have questions.

Sincerely,

Connie Wilbert
Director
Sierra Club Wyoming Chapter
Connie.wilbert@sierraclub.org
307-460-8046

Robert Joyce
Conservation Organizer
Sierra Club Wyoming Chapter
Rob.Joyce@sierraclub.org
610-350-8521

