



SISKIYOU CHAPTER

Native Plant Society of Oregon

*Dedicated to the enjoyment, conservation, and study
or Oregon's native vegetation*

Rogue River-Siskiyou National Forest
Forest Supervisor, Merv George Jr.
Attn. 1570 Appeals and Objection
3040 Biddle Road
Medford, Oregon 97504

November 4, 2019

Upper Applegate Watershed Restoration Project Objection as per 36 CFR 218, Subparts A and B

Project name

Upper Applegate Watershed Restoration Project

Responsible Officials

District Ranger, Donna Mickley
and

Forest Supervisor, Merv George Jr.
Rogue River-Siskiyou National Forest Supervisor Office

Thank you for accepting this Objection pursuant to 36 CFR § 218 from the **Siskiyou Chapter Native Plant Society of Oregon (SCNPSO)** regarding the Upper Applegate Watershed Restoration Project Draft Decision Notice.

SCNPSO is a 501(c)(3) non-profit corporation based in Ashland, Oregon with members throughout southern Oregon, including the Applegate River Watershed where this project is located. We formed for charitable, educational and scientific purposes, namely the preservation, conservation, and study of the native plants and vegetation of Oregon, and public education about the values of native flora and its habitat.

Scope of Objection

As per 36 CFR § 218 this Objection applies to the Draft Decision Notice for the Upper Applegate Watershed Restoration Project (UAWRP). SCNPSO is objecting primarily on the grounds that we believe that approval of motorized trails in the Draft Decision Notice (DDN) violates the NEPA process, doesn't meet the purpose and need, and fails to

consider applicable science and public comments. Our position is that motorized trails approved in the Draft Decision Notice are inconsistent with the Purpose and Need of the UAWRP. Motorized recreation has no habitat restoration value, and in fact degrades habitat and has no place in a project that is supposedly designed and called a watershed restoration project.

We are also objecting to downgrading of NRF habitat for Northern spotted owls, new road approval and construction, a lack of thorough analysis of impacts to climate change, inconsistent pre-decisional work, the burning of black plastic, and a lack of thorough analysis related to the spread of noxious weeds and special status species protection.

The SCNPSO's objection to the UAWRP is that the project will degrade habitat for sensitive plant species and damage important ecological values.

Objection 1

The Draft Decision Notice does not protect sensitive plant species or intact native plant communities.

The SCNPSO is concerned about the presence of rare and special status plant species within the UAWRP. We are especially concerned by the presence of these species along the route for proposed motorized trails that can be killed by motorized use. Motorcycles churn up soil and damage rare and sensitive plant species that can't survive heavy mechanical trampling and soil damage. Motorized use can create significant surface erosion, vegetation damage, and rill and gully erosion due to trail rutting associated with the narrow, single track motorcycle tires. These erosion and soil displacement effects can lead to increased sedimentation in nearby streams and has been acknowledged to do so in the Applegate Valley on BLM lands adjacent to the planning area (USDI. 2009.).

The presence of special status plant species within the project area presents a higher standard for land management practices in order to not only buffer existing special status plant sites, but also the overall habitat in which that species occurs. Approval of motorized trails will lead to more off-road/off-trail motorized use that threatens rare and special status plant species in the area.

SCNPSO's board and members have a special interest in special status plant protection and conservation. We have a vested interest in the project area principally because of the occurrence of species such as these rare plants. SCNPSO's board and members regularly visit Forest Service land within the project area to enjoy these species and to botanize in general.

Small buffers do not protect these species enough for ongoing dispersal habitat. Because of their limited numbers, special status plants need broader habitat protection to ensure their long-term viability and dispersal. Small buffers are not enough.

The following endangered, rare and special status plants should be given stronger protections from motorized use in the Final Decision Record. Thorough surveys for these

species should be performed before the Final Decision Record is released to make sure they don't exist in areas threatened by motorized use, including on-trail and unauthorized off-trail use.

Cimicifuga elata
Cryptantha milobakeri
Cypripedium fasciculatum
Cypripedium montanum
Delphinium nudicaule
Diplacus bolanderi
Diplacus congdonii
Fritillaria gentneri
Meconella oregana
Pellaea andromedifolia
Rafinesquia californica
Sedum oblongeolatum
Solanum parishii
Tetrapteron graciliflorum

Proposed Resolution of Objection 1

Cancel all motorized trails proposed in the UAWRP to prevent habitat degradation within a project designed for habitat restoration.

Objection 2

The Draft Decision Notice will allow for noxious, invasive, and non-native plant spread. Approval of motorized trails will exacerbate noxious weed infestations and degrade habitat by allowing non-native plant species to spread by motorcycle and take over native plant habitat.

Without any supporting evidence or science the Forest Service claims that “*single-track motorcycle trails have a lighter touch on the landscape*” than other motorized use. Science submitted during the comment period highlighting the spread of noxious weeds and its association with motorized use was not addressed or analyzed in the UAWRP NEPA analysis. The Forest Service has not provided any credible information or science demonstrating how or why some motorized vehicles spread noxious weed seeds and motorcycles would not. In this regard, motorcycles are not “lighter touch” as claimed in the Draft Decision Notice, and the science provided to the Forest Service during public comment certainly applies to motorcycle trail use, especially when trails are intended to connect together and cross large portions of the landscape. The refusal to analyze this effect demonstrates biased, incomplete analysis and a failure to consider applicable science.

The SCNPSO contends that approval of motorized trails in the UAWRP will lead significant noxious and non-native plant spread. This action will not be restorative, but

will rather degrade habitat. Including motorized trails in the UAWRP project makes it a “habitat degradation project,” not a “habitat restoration project.”

Proposed Resolution of Objection 2

Cancel all motorized trails proposed in the UAWRP to prevent habitat degradation within a project designed for habitat restoration.

Objection 3

Although there is not a final decision for the UAWRP project, pre-decisional actions and decisions have been taking place. Although we have been told this is legal, it is inconsistent with the explanation we were given about why motorized trails were kept in a so-called “collaborative” project even though they were highly controversial. It was explained in meetings and in the UAWRP Draft Decision that removing the motorized trails from the project would have been pre-decisional; however, all kinds of pre-decisional planning and process has been taking place otherwise. There is an inconsistent determination of what is considered an inappropriate pre-decisional decision or action, versus what is considered an appropriate pre-decisional decision or action.

Proposed Resolution of Objection 3

The Forest Service needs to clarify why there are inconsistencies in pre-decisional actions and decision making. Please explain why it was pre-decisional to remove motorcycle trails from the project before a Final Decision, but it’s not pre-decisional to move forward with planning meetings with funding partners and contractors. There should be clear guidelines about what makes one thing pre-decisional and not another, and why there are inconsistencies.

Objection 4

Many people in the Applegate have requested that the Forest Service stop using black plastic on burn piles in the Applegate because of the large amount of black plastic left behind as garbage in treatment areas. There is no attempt on the agency’s behalf to go back to units where black plastic remains and clean up the garbage. The garbage is left until it is eventually covered up by forest litter, so many areas of the Applegate are polluted by plastic garbage left from fuel reduction projects. The Forest Service claims that polyethylene isn’t “plastic,” and yet a basic Google search shows that most definitions define polyethylene as “the most common type of plastic.” It is disingenuous to deny that polyethylene is in fact a black form of plastic, or black plastic.

Many people have voiced a concern about breathing the emissions from the agency burning black plastic. Because plastic is carcinogenic, the Forest Service should not be burning black plastic and exposing local communities to carcinogenic smoke from burning plastic.

Proposed Resolution of Objection 4

We request that the agency use Kraft paper to keep burn piles dry in the UAWRP instead of black plastic. That way if the pile covers are left behind they will be biodegradable and

won't leave garbage behind. This will also prevent the burning of black plastic within a community that does not want to breath emissions from burning plastic. Burning plastic is not allowed for individuals in the public and shouldn't be allowed for the agency either. We also believe that the Forest Service should make an effort to clean up black plastic from previous treatment areas within the UAWRP planning area to clean up garbage from previous treatments over the past 20 years.

Objection 5

On November 6, 2019 the US Fish and Wildlife Service proposed to list the Pacific fisher under the Endangered Species Act; however, neither the UAWRP EA or Draft Decision Notice analyzed for Pacific fisher as a species protected under the Endangered Species Act. This new information needs to be addressed in the UAWRP Final Decision Record. Pacific fishers deserve the highest level of protection to ensure their long-term survival.

Proposed Resolution of Objection 5

Fully analyze the UAWRP project in response to the recent listing of the Pacific fisher under the Endangered Species Act.

Objection 6

In our comments to the UAWRP EA we brought up recent research of University of Oregon researcher Beverly Law, which has shown that logging and wood products are the biggest source of climate-warming carbon dioxide in Oregon forests.

The following quote from a High Country News article explains:

<https://www.hcn.org/issues/50.11/climate-change-timber-is-oregons-biggest-carbon-polluter>

“While Oregon forests absorb a lot of carbon, the team of Oregon State University and University of Idaho researchers found that the wood products industry is the largest sector contributing to carbon pollution in the state and “that in a relative sense, fires are small for carbon loss,” Law says. The wood products sector generated about one and a half times more emissions than the transportation or energy sector emissions [reported by the Oregon Global Warming Commission](#). Wood product emissions are the result of fuel burned by logging equipment, the hauling of timber, milling, wood burned during forestry activities, and the ongoing decomposition of trees after they are cut. Forest fire emissions were less than a quarter of all forest sector emissions in each of the five-year increments studied between 2001 and 2015.”

In the response to comments in the UAWRP Draft Decision Notice, the response to Climate Change completely missed the point that, “Wood product emissions are the result of fuel burned by logging equipment, the hauling of timber, milling, wood burned during forestry activities,” etc. The Draft Decision Notice failed to account for the fuel burned and the hauling of timber and resulting milling of timber as part of the contributing factors to climate change proposed in the UAWRP project. Aviation use in the form of helicopter logging will surely be a huge contributor of carbon pollution in UAWRP but it wasn't mentioned at all in the EA or Draft Decision Notice.

Proposed Resolution of Objection 6

We request that the Forest Service fully analyze the expected carbon emissions from the UAWRP, including fuel burned by logging equipment, including helicopters. Additionally, the analysis should include the hauling of timber of the resulting milling of timber. The Final Decision should include these issues, along with a response to the research of Beverly Law.

Objection 7

The UAWRP project still proposes temporary road construction in the project. One of these so-called “temporary” roads will specifically facilitate the downgrading of NSO NRF habitat. New road construction, whether temporary or not, is inconsistent with habitat restoration and will lead to increased noxious and non-native plant species. “Soil productivity will be lost to some degree on temporary roads, skid trails, and landings due to soil displacement. (Draft Decision Record, page 16).” Temporary roads have permanent ecological impacts and should be cancelled from the UAWRP project since they are inconsistent with the project’s goals.

The project also still proposes to add the road across from Jackson Campground to the MVUM. We believe this road should be decommissioned for habitat restoration purposes and native plant community restoration. Adding roads to the MVUM is not a consistent action with habitat restoration goals.

Proposed Resolution of Objection 7

Cancel all road construction, including temporary road construction. Do not add the road across from Jackson Campground to the MVUM. Instead this road should be decommissioned and the area restored to native meadow habitat.

Objection 8

A primary objective during collaboration for the UAWRP was protection of Northern spotted owl habitat; however, the EA and the Draft Decision Record both acknowledge “Implementation of the proposed action is a **“May Affect, and are Likely to Adversely Affect”** northern spotted owls due to activities that will result in the downgrade of up to 120 acres of NRF habitat. The effects of all vegetation treatments within the two Critical Habitat Units, KLE-4 and KLE-6 for spotted owls is, **“May Affect, Not Likely to Adversely Affect”** designated spotted owl critical habitat. Treatments are expected to **“May Affect, Not Likely to Adversely Affect”** spotted owl NRF. (EA page 77-78).” (DR page 18). SCNPSO believes that no impacts to NRF habitat for Northern spotted owls is acceptable in a “habitat restoration project,” which should, as the name implies, protect habitat.

Proposed Resolution of Objection 8

Cancel all proposed actions that will result in downgrades to NRF habitat in the UAWRP project. Specifically cancel the 120 acres that will result in NRF downgrade in the project.

Objection 9

New motorized trails approved in the Draft Decision Notice for the UAW Project have no restorative effects and should not be included in a “restoration project.” The UAW Project was sold to the local community and the public at large as a restoration project. The UAW Project was also intended to be a model for a collaborative, community driven planning process implemented under the Applegate Adaptive Management Area (AMA). The goal was to create an ecologically appropriate project with broad based support in the local community and build collaborative capacity by creating trust between the Applegate community and the agency.

Yet, the motorized trails approved in the Draft Decision Notice have absolutely no restorative effects and were extremely controversial within the local community. The motorized trails approved in the Draft Decision are inconsistent with the collaborative inputs and values identified by the majority of the Applegate community throughout the planning process.

Motorized trail use will increase rather than decrease background levels of sedimentation, noxious weeds spread, habitat fragmentation and many other biological values. Such activities cannot credibly called restoration and will undermine restoration efforts. Motorized trails are not restorative actions and should not be included in projects with a focus on habitat restoration. Current NEPA analysis for the UAW Project fails to sufficiently justify the inclusion of motorized trails in restoration projects.

The Forest Service has inappropriately included “contentious” or controversial actions within the iNEPA process and the UAWRP. Although the agency claims in the UAWRP EA, that the proposed motorized trails fail to meet the standard of “contentious” proposals because opposition is not completely unanimous (USDA & DOI. 2018. p.17), the agency fails to back up its assertion with evidence. The reality is that such a standard is unrealistic and fails to acknowledge the considerable controversy that has ensued due to the inclusion of motorized trails within the Upper Applegate Watershed Restoration Project. Although the agency continues to claim in the EA that little controversy exists in regard to motorized trail use, the facts demonstrate otherwise.

From the very beginning, Applegate community members, and representatives of non-profits such as SCNPSO attended meetings touted as “collaborative,” where it was unanimous from those in attendance, that there was a strong belief that NO motorized trails should be included in the project, and that if they were to be included, the project would fail to meet its goals.

Furthermore, the supposed “social values” identified in the Purpose and Need are vague and undefined. The agency makes assumptions about social needs and the need for new motorized trails based on “changing demands” in recreational use, yet completely fails to analyze what those changing demands might be. The agency also fails to consider widely supported “social values” encouraging non-motorized recreation and a decrease in motorized trail access in the Applegate Valley. The interpretation of “social values” and “changing demand” in the EA and Draft Decision Notice is arbitrary and capricious. No science, information or monitoring data was used to support these claims.

Proposed Resolution of Objection 9

Cancel all motorized trails approved in the Draft Decision Notice for the UAW Project and implement activities with truly restorative effects such as plantation thinning, prescribed fire, pollinator restoration, etc. Treat this project as a truly collaborative project designed under an INEPA process, where controversial issues are dropped from consideration, and drop the controversial motorized trails.

/s/ Suzie Savoie

A handwritten signature in cursive script, appearing to read 'Suzie Savoie', written in dark ink.

Sincerely,
Suzie Savoie
Conservation Chair, Siskiyou Chapter Native Plant Society of Oregon
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