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North Fork Ranger Station
c/o Amy Boykin
12740 US Highway 12
Orofino, Idaho 83544

Sent via email to: comments-northern-clearwater-north-fork@usda.gov

June 21, 2021

Dear Ms. Boykin:

I am writing on behalf of the Idaho Conservation League (ICL) to comment on the Dead Laundry Environmental Assessment (EA). ICL has been Idaho's leading voice for conservation since 1973. As Idaho's largest state-based conservation organization, we represent over 30,000 supporters, many of whom have a deep personal interest in protecting human health and the environment. ICL works to protect these values through public education, outreach, advocacy and policy development.

We are disappointed to learn that the Forest Service dismissed from further consideration alternatives to the proposed action that would improve water quality and aquatic habitat. Proposed alternatives that would accomplish these goals were dismissed from further consideration because the Forest Service believes that it would not be able to achieve Forest Plan desired conditions for forest vegetation. Unfortunately, this point of view elevates one set of desired conditions over another. Desired conditions for water quality, fisheries, and wildlife should be on equal footing with those for forest vegetation. We encourage the Forest Service to consider actions that reduce the road network and the sediment that it generates.

More detailed comments and suggestions are enclosed. Please reach out to me if you have any questions.

Sincerely,

Brad Smith
North Idaho Director

Dead Laundry Project Environmental Assessment

Alternatives to the proposed action

We are disappointed to learn that the Forest Service dismissed suggested alternatives to the proposed action from further consideration. Suggested alternatives included use of temporary roads instead of new system roads, no new roads, construction of no or far fewer temporary roads, and more road decommissioning. The agency did not consider these alternatives in detail because the Forest Service believes that the suggested alternatives “would not meet the purpose and need of the project of managing towards desired conditions (DFCs) and objectives identified in the Forest Plan.” (EA, page 15). When referring to desired conditions and objectives identified in the Forest Plan, it appears that the Forest Service is cherry-picking DFCs for forest vegetation. While the proposed road maintenance, road reconstruction, temporary road construction, and permanent road construction may be necessary to achieve DFCs for forest vegetation, the proposed action would make no progress toward DFCs for water quality and aquatic habitat. At best, the project will result in no net increase in measurable sediment.

We encourage the Forest Service to reconsider suggested alternatives that would improve water quality and aquatic habitat through less road construction and more road decommissioning. The alternatives suggested by the public are in alignment with DFCs and objectives for water quality and aquatic habitat in the 1987 Clearwater Forest Plan. For example, one of the stated goals of the Forest Plan is to “[m]anage the Forest's fishery streams to achieve optimum levels of fish production by: 1) maintaining high quality habitat in existing high quality streams and, 2) rehabilitating and improving degraded streams on certain developed portions of the Forest; and then maintaining the optimum levels.” (Forest Plan, page II-2). Another related goal is to “[m]anage watersheds, soil resources, and streams to maintain high quality water that meets or exceeds State and Federal water quality standards, and to protect all beneficial uses of the water, which include fisheries, water-based recreation, and public water supplies.” (Forest Plan, page II-3). Finally, one of the objectives of the plan is to “[r]estore selected, presently degraded fish habitat through habitat improvement projects designed to achieve stated objectives for particular streams by 1997.” (Forest Plan, page II-5). Actions to improve water quality and aquatic habitat are thus clearly in alignment with the Forest Plan, and DFCs for these resources should be on equal footing with DFCs for forest vegetation.

When reading the EA and the Fisheries Specialist Report, it is evident that some watersheds in the project area are not meeting Forest Plan DFCs for water quality and aquatic habitat. For example, the Fisheries Specialist Report lists a number of watersheds in the Dead Laundry Project area that are low functioning based on cobble embeddedness, including Deception Gulch, Comet Creek, Deadwood Creek, Ruby Creek, Osier Creek, and China Creek (pages 6-7). Streamside road densities have also caused low watershed conditions in the Deadwood-Moose, Lake, and Osier HUC 12 Subwatersheds (Fisheries Specialist Report, page 8). Finally, the EA notes that Deception Gulch is listed as impaired under the Clean Water Act due to sedimentation that has impacted designated beneficial uses, including spawning and cold water aquatic life (page 34). As discussed below, there is clearly a need to reduce sediment to meet Forest Plan DFCs and Clean Water Act requirements, specifically in Deception Gulch. Accordingly, we feel that the Forest Service improperly dismissed reasonable alternatives suggested by the public

that are intended to lead to the achievement of Forest Plan DFCs and objectives for water quality and aquatic habitat.

Finally, in our scoping comments, we recommended that the Forest Service incorporate principles of “ecological” forestry into its silvicultural prescriptions for the Dead Laundry Project. These concepts were pioneered by Norm Johnson and Jerry Franklin in forest west of the Cascades. Designed to be responsive to wildlife concerns, their approaches are applicable to wet forest types in the North Fork. Ecological silviculture is designed to achieve desired forest conditions while providing for some retention to blunt the effects of regeneration harvest to wildlife. When reading the EA and the specialists reports, it does not appear that the Forest Service incorporated principles of ecological forestry into its silvicultural prescriptions for the project. We encourage the Forest Service to do so.

Old growth

We appreciate the fact that the Forest Service does not intend to take any actions in the Dead Laundry Project that would change the characteristics of old growth stands in a way that the stands no longer meet the minimum old growth criteria described by Green et al. (2011). However, the Forest Service does propose to construct some new temporary road in mapped old growth and stepdown old growth (EA, page 26). We encourage the Forest Service to drop proposed temporary road construction in old growth and stepdown old growth because construction of the road prism will not only remove individual old growth trees, but it will also reduce the ecological value of those stands due to all of the effects associated with road construction.

Rare plants

The EA states that known rare plants or sites will be avoided or protected during project implementation (page 18). We encourage the Forest Service to survey all proposed treatment units for rare plants prior to entry. Surveys should be timed to detect rare plants on suitable sites when they are expected to be detectable. Some rare plants are visible for only a portion of the growing season. Therefore, the timing of surveys is critical and should be tied to the life histories of rare plants that may be present on the site.

Water quality and fisheries

The Forest Service used the Watershed Erosion Prediction Project (WEPP) to model sediment generated by harvest and fuels units. GRAIP_Lite was used to model sediment generated by roads. The EA states that these models show that the proposed action will result in no measurable increase in sediment delivered to the streams in the project area (EA, pages 32, 34; and Water Resources Specialist Report, page 19). However, this analysis appears to have improperly excluded or minimized sediment generated by motorized trails.

One of the Forest Service’s analytical assumptions in its use of the GRAIP_Lite model was that all routes listed as ATV trails in the travel Plan, all new construction routes, and all Maintenance Level 1 routes are assumed to be placed into storage after project implementation (Water Resource Report, page 10). The exclusion of trails from the Forest Service’s sediment models is important because there are many miles of motorized trails in the project area. Some of these trails are open to ATVs and motorcycles only, but some of them are also open to highway legal vehicles. By not including trails in the sediment modeling,

the Forest Service is likely underestimating the amount of sediment generated under both the no action and action alternatives. This omission should be corrected, and updated sediment calculations should be provided in the final environmental analysis.

This is important because there appears to be a need to reduce erosion and sediment in the project area in order to meet Forest Plan DFCs for water quality and aquatic habitat and comply with the Clean Water Act. As pointed out earlier, several of the streams in the project area are in a low functional condition. The Idaho Department of Environmental Quality has also approved a Total Maximum Daily Load (TMDL) for Deception Gulch, which mandates a reduction in sediment. This excerpt from the North Fork Clearwater TMDL is illuminating:

The real concern for Deception Gulch comes from the sediment source data and information which indicate the sediment loading poses a real threat to water quality. Road density in Deception Gulch is about twice of what the [Clearwater National Forest] considers acceptable for water quality. Of these roads, some 50 percent are on high-risk landtypes, which is a very high percentage. The result is that Deception Gulch has a very high mass failure rate, and most of the mass failures are associated with the roads...The real threat in terms of sediment loading is sediment from the mass failures, most of which have occurred in the past during rain-on-snow events.

All of this together indicates that the sediment problems in Deception Gulch are of a nature and magnitude that reductions in event-based loading should and can be reduced. Analysis of the roads and geology of the watershed indicates that mass failures will continue to occur and degrade the stream. The road system on the west side of the drainage is built on geologic dip slopes that will continue to fail. Forest Service Road 734 shows numerous signs of fill slope slipping. Forest Service Roads 255 and 730 cross the contact between Wallace gneiss and the Revett quartzite where most of the large mass failures have occurred. It is likely that this unstable area will continue to fail...

(IDEQ, 2003).

The North Fork TMDL notes that about half of the 42 miles worth of roads in Deception Gulch are located on high hazard landtypes. IDEQ recommends obliterating these roads to achieve the sediment load reduction target for Deception Gulch, which has not yet been achieved but could be pursued in the Dead Laundry Project.

Reducing sediment is also a key strategy of the Bull trout Recovery Plan. The plan calls for the following actions, which include streams in the Dead Laundry Project Area:

Restore areas degraded by historical timber harvest. Legacy impacts from timber harvest include lack of riparian trees and vegetation, high road densities, large areas of clearcuts, altered hydrologic regimes including increased peak flows, and other impacts that have created excessive fine sediment sources for watersheds. Potential restoration treatments include channel stabilization, riparian and upland plantings, placement of instream woody debris, etc. The following drainages have been degraded by historic timber harvest and have embedded and de-

stabilized streams: Quartz, Cold Springs, Skull, Deception, Beaver, Isabella, and Moose Creeks within the North Fork Clearwater...

Compensate for legacy timber harvest and associated roading practices. Continue to mitigate for the legacy of intensive timber harvest and poor silvicultural and road construction practices in steep and highly erosive canyon breaklands. Past practices and road systems have resulted in mass wasting events and continued erosion and sediment introduction into bull trout habitat. Actions including: replanting, obliterating roads, and improving road maintenance should be continued and new techniques implemented. Priority areas include...Lake, Moose, Osier, Quartz, Skull, Orogrande, Sheep Mountain, Beaver Block, Floodwood, and Breakfast Creek drainages in the North Fork Clearwater.

(USFWS, 2015).

Given the Forest Plan DFCs, the North Fork Clearwater TMDL, and the Bull Trout Recovery Plan, there is a clear case that the Forest Service should be reducing the size of the road network in the project area—not increasing it. A reduction in the road network in areas listed in these documents and plans should be part of the purpose of the Dead Laundry Project. It is unlikely that the Forest Service will have another opportunity for an integrated restoration project in this area in the near future.

Finally, it's not clear that the Forest Service checked to see if the proposed action satisfies Appendix K of the Clearwater Forest Plan. Neither the Draft EA or the Fisheries Report compared the estimated effects of the project with water quality and fisheries objectives listed there. This should be discussed in the final environmental analysis.

Wildlife

Lynx

The Wildlife Report indicates that Forest Service field crews verified that none of the proposed harvest units would affect multi-story or late successional lynx habitat (page 39). We appreciate that none of these lynx habitat types will be affected by the project.

Grizzly bear

The EA and the Wildlife Report downplay the potential impact of the Dead Laundry Project on grizzly bears and grizzly bear recovery in the Bitterroot Ecosystem. The Forest Service opines in the Wildlife Report that “[t]he number of transient grizzly bears identified in the Forest and near the project has been so few in number and minimal in length of presence to be insignificant”, and the proposed action “would not affect any transient or dispersing grizzly bear since the project would not result in reduced secure area or forage availability” (page 8). The amount of proposed road work associated with the Dead Laundry Project would suggest otherwise.

Proposed road work includes 51 miles of road maintenance, 99 miles of road reconstruction, 14 miles of new road construction, and 54 miles of temporary road construction (EA, page 12). The 51 miles of road maintenance presumably involves improvements to passable, publicly open roads. To the extent that

this assumption is accurate, then road maintenance activities will probably not reduce grizzly bear habitat security or connectivity.

In contrast, we must disagree with the Forest Service's assessment that the proposed road reconstruction, temporary road construction, and new permanent road construction will not impact grizzly bear habitat security or connectivity. In particular, the proposed permanent road construction will surely decrease grizzly bear habitat security and connectivity. Although 12 of the 14 miles of proposed road construction is located on previously decommissioned templates, the bottom line is a net increase in open motorized routes and therefore, a decrease in grizzly bear habitat security and connectivity.

Road reconstruction can also impact grizzly bears. Road reconstruction inevitably involves blading, brushing, and other improvements. Reconstruction of impassible roads reintroduces motor vehicle traffic to locations where it had subsided or diminished. Reconstruction of passible roads can increase traffic volumes on roads that were already under some level of motor vehicle use because reconstruction inevitably improves the surface of the road, inviting more public travel.

Although temporary roads are intended to be decommissioned within three years of the completion of logging operations, grizzly bear habitat security and connectivity are decreased when temporary roads are constructed and used. Habitat security and connectivity is not restored until temporary roads are successfully decommissioned. In fact, in locations where there are limitations on motorized access to promote grizzly bear recovery, the amount of temporary road that the Forest Service can construct and use at any given time must be within the overall limits on motorized access assigned to grizzly bear management units.

As documented in available scientific information, grizzly bear habitat security, connectivity and use is decreased where motor vehicle use is allowed. In the final environmental analysis for the Dead Laundry Project, the Forest Service should divide the project area into hypothetical female grizzly bear home ranges. The agency should then use the 'moving windows' analysis process (USDA, Forest Service 2020) to calculate values for open motorized route densities (OMRD), total motorized route densities (TMRD), and core habitat. These calculations should then be compared to the research-recommended limits on motorized access when evaluating effects of the proposed action to grizzly bears. Suggested limits in the available research are:

1. OMRD greater than 1 mile/square mile must comprise 33 percent or less of a home range;
2. TMRD greater than 2 miles /square mile must comprise 26 percent or less of a home range;
and
3. Core habitat must comprise at least 55 percent of a home range.

Wildland urban interface

According to the EA, there are 640 acres of fuel treatments in the wildland urban interface (WUI) area of Deception Saddle and Independence Creek (page 28). However, the EA does not explain how the WUI boundary for this area was defined. This omission would be particularly problematic if the Forest Service were planning to authorize the Dead Laundry Project under the Healthy Forest Restoration Act

(HFRA) as this authority contains specific criteria that must be met when the agency authorizes a project under the Act.

In this case, it appears that the Forest Service intends to authorize the Dead Laundry Project under standard NEPA procedures. Nevertheless, the omission of any discussion regarding how the WUI boundary was delineated undermines rather than fosters informed environmental decision-making. Counties all across the country have inconsistently delineated their WUI boundaries, and in many cases, counties have included large swaths of backcountry in their WUI boundaries for the sake of expediting logging operations far from homes and communities.

Although the Forest Service does not appear to be utilizing HFRA here, a discussion about Clearwater County's WUI delineation is relevant because one of the stated needs for the project is to reduce hazardous fuels within the WUI. As such, it is imperative for the public and the agency to understand how the WUI was delineated. Ideally Clearwater County will have used the best available information concerning existing fuel loads, fire behavior in applicable forest types, fire models, etc. in the delineation of its WUI boundaries. Whatever the case may be, it is impossible to read the draft EA and understand how the WUI boundary came to be.

The final environmental analysis should clearly explain how Clearwater County delineated its WUI boundaries. The Forest Service should also show which treatments are necessary to reduce the risk of fires to communities and land owners and which treatments are proposed for other purposes.

References

Forest Service. 2020. Bear Models Overview. 5 pp.

IDEQ. 2003. Upper North Fork Clearwater River Subbasin Assessment and TMDLs. 384 pp.

USFWS. 2015. Mid-Columbia Recovery Unit Implementation Plan for Bull Trout (*Salvelinus confluentus*). 349 pp.