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Comments: We are concerned that the Deschutes Crecent District similar roadside firewood cutting removal decision is already causing cumulative widespread loss of snag habitat exceeding Forest Plan standards when consequences are combined with other hazard tree removal involving projects, such as timber sales, and the Emigrant Creek District proposal would create the same violations.

One of the best ways to avoid too much reduction of snag habitat is to close permanently and decommission much more substantial mileage of ecologically damaging, redundant, overgrown, and unnecessary roads on the District. 740 miles of roads on the District is an extremely excessive mileage of roads that won't all be adequately maintained.

Effects on down wood and snag habitat is a key issue for wildlife that we suggested in our comments, and should be identified and analyzed as such.

Road closures and decommissioning should not be outside the scope of this project as this is a solution to hazard (aka "danger") trees, and a definite means of reducing the number of snags that would be lost to wildlife through logging of hazard trees. Thus road closures and decommissioning are part of a viable alternative to the proposed action and need to be considered as part of either the proposed action or a second action alternative.

Economic revenue should not be the highest driving force behind Forest Service Purpose and Need formulations for projects and does not super cede other Forest Plan requirements and multiple use values. Thus wherever Forest Plan requirements and Management Area direction or significant competing public values or wildlife habitat requirements weigh against snag logging or removal, hazard trees should just be topped to prevent them from reaching the road and giving them greater stability in winds - which also provides jobs - or snags not be logged.

Please consider our concerns and improvements suggested, such as topping snags, wherever possible to avoid the potential hazard, which also provides needed job contracts, and leaving as many felled snags on the ground as possible to continue to sequester carbon, provide nutrients for soils, and provide wildlife habitat.

Based on EA pg. 1-6, the Myrtle-Silvies IRA and the Malheur River roadless area should be included in Table 1 Management Areas with the acreage located in the Danger Tree Removal Project included- 18 and 8 acres respectively.

What scientific evidence exists to show that nest boxes are actually effective for reducing loss of various bird species when snags are eliminated, and thus primary excavator cavities are also eliminated from a forest area? This sounds like an unproven "feel good" false solution to a serious problem posed by widespread snag logging in a relatively short period of time. If some science supporting this exists, to which bird species, and to how many different bird species does it pertain?

The implication of "non-merchantable" trees here is in direct contradiction to the earlier promise on P. 2 that no hazard trees would be removed from RHCAs and DOGs, the former statement should be followed.

It is very important to us that hazard trees only be removed that are immediate or imminent hazards for that year, based on annual monitoring. We want the Forest Service "Danger Tree" manual to be used to identify hazard trees, and hazard trees to be restricted to those with sufficient lean, base rot, and height that are likely to fall soon and which could definitely reach the road enough to enter the lanes of traffic. Under no circumstances do

we want hazard tree identification outsourced or based on less restrictive hazard tree identification criteria. Having recently field surveyed and documented the results of the Oregon Department of Transportation's "hazard" tree felling along the Ochoco Summit along Highway 26, I am appalled by the high number (majority) of trees felled having full green crowns, no base rot, and in many cases little to no potential to reach the highway. I don't want this happening on the Emigrant District.

Please do not include Scott mortality guideline use for "dying" trees, as the Scott mortality guidelines are not scientifically defensible, as they are overly broad in theoretically determining "dying trees" that are still alive but judged to die "soon", and are based on indicators not supported by the science, such as high but superficial tree trunk scorch.

It is not clear to us why the removal of hazard tree snags would alleviate the effects of moisture-stressed forest, as claimed on p. 3-5, last par.

Please send us the guidelines that would be used in this project to identify "danger" trees, or refer us to the relevant parts of this EA.

This discussion on Air Quality neglects to consider CO2 emissions to the atmosphere re: contributing to climate change, as a pollutant, and also fails to explain how prescribed fire being planned is judged to meet Clean Air Act standards before it occurs. (Se p. 3-8, 2nd par.)

These prevention methods do not guarantee that there will not be further dispersal (spread) of invasive plants already on site by increased disturbance of the ground in proximity to, or on, those sites.

The 2015 Invasive Plant ROD is not this project for analysis of cumulative effects, and is not 100% effective.

This is a very strained, and not credible effort to come up with overall beneficial cumulative effects re: invasive plant introduction and dispersal from increased ground disturbance and lots of heavy equipment going in and out of the area- what a joke! This is incredibly biased analysis.

Gray wolves do have suitable habitat within the Emigrant District. Bald eagles are known to be in the project area. Table 3 directly contradicts brief EA discussion of Bald eagles on p. 3-10. Table 3 claims no occurrence (N) for bald eagles in the area.

There was official critical habitat (lynx analysis areas) for lynx in Eastern Oregon, which was removed based on politics, not science.

Wolverine have huge home ranges of up to 150 square miles and are known to have been present in the Strawberry Mountain area, so the Emigrant District is likely foraging habitat as well as dispersal habitat. So it's not true that there is no suitable habitat in the project area for Wolverine. Species need more than just reproductive habitat, but also foraging and dispersal habitat.

NEPA requires disclosure within the EA of science citations, methodology, analysis, and data used to reach effects conclusions.

Have there been any surveys for gray wolf, wolverine, and greater sage grouse on the Emigrant District?

The brief section on bald eagles ignores the critical issue of whether any of their winter roost or nest trees would be considered hazards by FS road 28 and would be felled. This is inadequate analysis as the public (and I) have no way of knowing whether this would take place and harm bald eagles. The protection measures only address disturbance, not tree felling.

Why hasn't the Forest Service initiated more comprehensive bat monitoring on the Forest? Isn't there a way to scare bats out of potential roost snags before felling them, such as by rapping on the side of the snag? Couldn't this be done? When a sensitive bat species is thought to be rare (Townsends) or "extremely rare" on the Forest or the District, this is cause for concern and preventative protection measures, not dismissal of the issue.

Impacts to individuals, especially where the species is rare, can cumulatively lend to uplisting or extirpation.

Wouldn't the hazard tree felling primarily occur in summer months when the ground is dry and bats are more likely to be roosting in snags? Why isn't this discussed? This is biased and very incomplete analysis.

Why isn't the wildlife analysis being used as an opportunity to not only determine the need for habitat/nesting avoidance, but to actually devise ways of better protecting the species, as NEPA intended? For example, white headed woodpecker habitat "improvement" is often cited on the Malheur as a reason to log, yet something so simple as avoiding known whiteheaded woodpecker nests is not suggested.

These known nests should be buggered from hazard tree felling with avoidance buffer flagging. Also hazard tree felling should not be done during the spring reproductive season for nesting birds.

"Moreover, some of the potential habitat along primary and secondary roads has been cleared with prior treatments or from woodcutters." This is a cumulative impact.

Are white headed woodpeckers really known to use bird boxes?

"Firewood cutters are the primary concern regarding sangs. This project may displace some woodcutters reducing potential nest trees in other areas of the district." This is further reason to not fell hazard trees during the spring nesting season.

So don't allow felling during the breeding season to help protect Lewis' and other woodpecker species' reproduction.

Have there been any Lewis' or other woodpecker species seen nesting successfully in nest boxes in the Egley Fire area and other past fire areas?

It is very unlikely that prescribed fire is providing much habitat for Lewis' woodpecker, as the species is dependent on old stand replacement burns, not the low intensity frequent fire that prescribed burning is meant to emulate.

Where is the analysis regarding project effects to marten perse? This is arbitrary and capricious to hump them in with Primary Cavity Excavator as marten are a very different species with different habitat needs, a mammal and predator, not a bird.

Analysis conclusions for Primary Cavity Excavators can not be extrapolated to American marten. This is inadequate analysis for effects to marten. As marten have very little suitable habitat on the District, we want big snags (greater than or equal to 21" DBH) and snags with Pileated nest holes not to be felled wherever possible and to be topped as high as possible where necessary.

Why would it be assumed that no cumulative impacts would occur to Western bumblebees with hazard tree removal in the absence of any surveys for the species on the District and without any studies determining management impacts to the species?

Estimates of suitable habitat for marten and other MIS which "have not been evaluated on the ground" may be very inaccurate.

Of course using assumed available habitat for a species as a proxy for determining effects of management impacts to species is completely unjustifiable scientifically, as it ignores needed information on species use of the habitat (presence or absence, and type of use, if any), their population status, their reproductive success rate, and their viability thresholds based on that data. Yet the Forest Service never talks about these gross deficiencies with the habitat proxy method.

"Danger tree felling during incubation period could cause nest abandonment" Really? "since snag and downed log habitat is not considered near roads, primary cavity excavator habitat would not exist near the proposed roads for danger tree removal." Unbelievable. So if the Forest Service doesn't consider it, it doesn't exist?! Se 2nd to last par, p. 3-16.

There are so many references in this EA to the dangers posed to bird species, including MIS from hazard tree felling during the reproductive season, yet the Forest Service mysteriously fails to take the obvious next step of prohibiting hazard tree felling during the spring reproductive season. Why? NEPA analysis is supposed to be used to determine mitigations and ways to avoid or prevent impacts.

As many existing large snags should be left standing along the roads as possible, especially on the edge of Dedicated Old Growth areas.

As with effects to MIS woodpeckers and other birds, prohibiting felling of hazard trees during the spring reproductive season should be required to help mitigate impacts for raptors and accipiter hawks.

The two goshawk nest areas likely to be affected by hazard tree felling should require a precautionary approach of not felling any large potential goshawk nest trees and snags if possible, and potentially only topping instead of felling those posing risk to travelers.

So what are the protective measures for documented active goshawk nests?

There's a lot of cumulative effects to goshawks from timber sales on the District and felling hazard trees in the two nest stands would be an additional cumulative effect which should not be dismissed as non-existent.

We are opposed to removing felled hazard trees in RHCAs at all, including upslope of the road, as more large down wood is generally needed in the RHCAs and down wood upslope of the road helps control erosion and limit sedimentation of the streams, as well as provides wildlife habitat, down wood for moisture retention and carbon sequestration, and retains nutrients for replenishing soils. We ask that all felling of hazard trees within RHCA boundaries leave the felled trees on site. This has been deceptive presentation of this issue up to this point, as there was no earlier mention of removing any felled trees from within RHCAs.

This discussion of effects to RHCAs fails to address the ecological impacts of removing felled trees upslope of the road within the RHCAs. This is inadequate analysis.

This analysis should not assume that livestock grazing standards will be achieved within the RHCAs, as the livestock damage to the RHCAs is extreme across the District- the Flat sale area being a case in point. Such extreme barren trampled ground (including around springs and streams) could take decades to achieve recovery if there were no cattle in these areas during that time, which is not the case.

Based on our observations in the field, it seems highly unlikely and disputable that overall the soil conditions in the Emigrant Creek District are within Forest Plan standards for allowable detrimental disturbance.

See EA p. 3-33 for the EA's discussion of all the good, science based reasons to leave all felled hazard trees within RHCAs, regardless of whether the trees' locations are upslope or downslope of the road- e.g. minimizing sediment flows downhill to the stream, supporting healthy riparian and soil processes, supporting well-functioning hydrologic stream and floodplain processes, aiding in soil retention after fire, and in addition, retaining needed water above the riparian zone as part of an overall cooling and moister riparian regime.

The whole purpose of PACFISH/INFISH buffers was to protect the full RHCA area, based on the science, from logging impacts such as tree removal and heavy equipment use.