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Organization: Wyoming Coalition of Local Governments

Title:

Comments: From: Danielle R. Bettencourt Date: Thursday, February 17, 2022 Attached please find the Wyoming Coalition of Local Governments' Comments on the Ashley National Forest Plan Revision DEIS. Thank you for your consideration of these comments. Best regards, Danielle R. Bettencourt
Fairfield and Woods Law Coalition of Local Governments
COUNTY COMMISSIONS OF SWEETWATER AND UINTA, AND CONSERVATION DISTRICTS FOR LINCOLN, LITTLE SNAKE, SWEETWATER, UINTA, AND SUBLETTE - WYOMING
February 17, 2022 Susan Eickhoff, Forest Supervisor Anastasia Allen, Forest Plan Revision Team Leader Lars Christensen, Collaboration Specialist Ashley National Forest 355 North Vernal Avenue Vernal, UT 84078
Re: Wyoming Coalition of Local Government's Comments on the Ashley National Forest Plan Revision Draft Environmental Impact Statement
Dear Susan, Anastasia, and Lars, The Wyoming Coalition of Local Governments ("Coalition") submits the following comments on the Ashley National Forest Plan Revision Draft Environmental Impact Statement ("DEIS"). The Coalition members Sweetwater County, Sweetwater County Conservation District, Uinta County, and Uinta County Conservation District are cooperating agencies on this plan revision. Alternative B and the Proposed Plan in Appendix E have not really changed since the notice of intent to initiate scoping on the EIS was published in 2019. The Forest Service insists that it has modified Alternative B to take into account cooperating agencies' input and public comments, but for the most part this has not occurred. Alternative B has not been adjusted to reflect the Forest Assessment Report (2017) and continues to jeopardize municipal water supplies by not reducing the risk of wildfire and promoting healthy forests. Alternative D is more in line with and responsive to the cooperating agencies' comments, including those of the Coalition and its members. The DEIS does not identify a preferred alternative which violates the CEQ rules (40 C.F.R. [sect] 1502.14(d)) and complicates providing comments. The Coalition criticized this approach in 2020 and 2021 during the internal review as a cooperating agency and repeats its criticism here. The Coalition provides the following general comments and the attached table outlining specific comments on the DEIS (Attach. 1). The Coalition's members made many of these same comments during the administrative draft reviews by the cooperating agencies, but no changes were ever made to address them.
I. Coalition Interests
The Coalition is a voluntary association of local governments organized under the laws of the State of Wyoming to educate, guide, and develop public land policy in the affected counties. Wyo. Stat. [sect] 11-16-103, 11-16-122, 18-5-201. Coalition members include Sweetwater County, Sweetwater County Conservation District, Uinta County, Uinta County Conservation District, Sublette County Conservation District, Lincoln Conservation District, Little Snake River Conservation District, and Star Valley Conservation District. The Coalition serves many purposes for its members, including the protection of vested rights of individuals and industries dependent on utilizing and conserving existing resources and public lands, the promotion and support of habitat improvement, the support and funding of scientific studies addressing federal land use plans and projects, and providing comments on behalf of members for the educational benefit of those proposing federal land use plans and land use projects. Both the counties and the conservation districts are local governments with special expertise and jurisdiction by law as set out in the CEQ regulations. The counties and conservation district members of the Coalition enjoy the authority to protect the public health and welfare of Wyoming citizens and to promote the management and protection of federal land natural resources. Wyo. Stat. [sect] 18-5-102, 11-16-122. Given this statutory charge and wealth of experience in federal land matters, the Coalition members have participated as cooperating agencies on most Wyoming projects and land use plans and have coordinated efforts with Bureau of Land Management, U.S. Forest Service, and other federal, state, and local entities. Activities on, and management of, the Ashley National Forest directly affect the Coalition's members. Multiple uses such as livestock grazing, guiding and outfitting, and recreation affect the custom and culture of the counties and conservation districts. The Ashley National Forest also plays an important role in the socioeconomic well-being of the counties and conservation districts. The Ashley National Forest also includes watershed that supply the municipal watersheds for Sweetwater and Uinta Counties.
II. RECOMMENDED WILDERNESS DESIGNATIONS
Under Alternative B, there are 10,300 acres of new recommended wilderness. DEIS at 26. Under Alternative C, there are 50,200 acres of new recommended wilderness. Id. Across all

alternatives, there are already 637,700 acres of Inventoried Roadless Areas ("IRAs") and the High Uinta Wilderness Area containing 276,175 acres. *Id.* at 12. The Coalition opposes the designation of any new recommended wilderness areas, because these designations have caused the current conditions of the Forest due to the "hands-off" management approach for these areas. Including additional acreages within the Forest where timber production and harvesting, mechanized vegetation treatments, and road construction are prohibited will only exacerbate the current problems and lead to catastrophic wildfires. When wilderness areas burn, there is a loss of forage for wildlife and livestock. It can also burn range improvements, such as fences and water development. Livestock grazing permittees are then faced with the difficulty of replacing all improvements without having the ability to use mechanized vehicles in the wilderness areas to bring in building materials. Further, the Forest Service lacks authority to evaluate new areas for wilderness designation under the Utah Wilderness Act. The Coalition and its members have commented extensively on the limits of the Forest Service's authority under the Utah Wilderness Act to review additional lands as suitable for wilderness designation. Pub. L. No. 98-428, [sect] 201(b)(2). See September 23, 2016 and February 28, 2017, Draft Potential Wilderness Inventory Comments; November 8, 2019 Scoping Comments. The Forest Service's review of lands suitable for wilderness designation is limited to those areas identified in RARE II and those lands described in Section 201(d) of the Utah Wilderness Act. Pub. L. No. 98-428, [sect] 201(b)(2). The lands described in Section 201(d) are national forest system roadless areas that were evaluated in a unit plan or managed pursuant to a multiple use plan and that are less than five thousand acres in size. *Id.* at [sect] 201(d). Congress specifically clarified that its release provision in Section 201(b)(2) was addressing the question of when "those lands not designated as wilderness by [the Utah Wilderness Act] but reviewed in the RARE II process can again be considered for recommendation to the Congress for designation as wilderness." S. Rep. No. 98-581, 12 (1984); see also *id.* at 15. This is also supported by the fact that the Utah Wilderness Act expressly prohibits the Department of Agriculture from conducting any further statewide roadless area reviews and evaluations on National Forest System lands in Utah for the purpose of determining their suitability for wilderness designation unless authorized by Congress. Pub. L. No. 98-428, [sect] 201(b)(5); S. Rep. No. 98-581, 16-17 (1984). Since 1984, Congress has not authorized additional or expanded wilderness review or management authority. Therefore, the Forest Service cannot inventory and evaluate new areas to determine their suitability for wilderness designation in this plan revision process and certainly lacks the authority to adopt wilderness-similar management.

III. RECREATION MANAGEMENT AREAS

The Coalition appreciates the inclusion of a description of the three newly proposed recreation management areas in the DEIS. However, the Coalition is still concerned about how the Forest Service identified and set the boundaries for backcountry management areas, general recreation areas, and destination recreation areas. This is especially true considering that the acreages for these management areas change with each alternative and there are only minor differences in description between destination recreation areas and general recreation areas. As an example, the destination recreation areas for all alternatives include 23,000 acres of livestock grazing allotments with active grazing occurring on 13,000 acres. See DEIS at 26, 118-119. If there is a mixture of livestock grazing and recreation use, then this acreage would arguably be better categorized as "general recreation areas" to protect livestock grazing use. The DEIS defines general recreation areas as those areas where "dispersed and developed recreation, fuelwood gathering, vegetation management, livestock grazing, electrical transmission infrastructure, communication sites, and oil and gas production may occur." *Id.* at 15 (emphasis added). There are also presumably other multiple uses occurring within destination recreation areas, but they have not been specifically identified. The introduction of recreation management areas is also another means by which the Forest Service can restrict the multiple uses that occur on the Forest without statutorily or administratively designating the area as a National Recreation Area, Wilderness, or inventoried roadless area. Under Alternative C, almost all of the destination recreation areas overlap with livestock grazing allotments and the management direction is to prohibit livestock grazing. DEIS at 26, 118-119. The DEIS even states that there may be a need to close additional acres where cattle cannot be effectively restricted, which would result in additional loss of permitted head months. *Id.* at 255. Alternative C is also using backcountry management areas to expand wilderness and roadless areas by prohibiting timber harvest and motorized use. See *id.* at 17 ("backcountry recreation areas focused on dispersed recreation outside wilderness areas with limited infrastructure") and 26. The Coalition objects to the use of recreation management areas as a way to further restrict other multiple uses and expand wilderness.

IV. LANDS AVAILABLE FOR TIMBER

PRODUCTIONThe Ashley National Forest proposed land management plan falls tremendously short of achieving management of its lands identified as suitable for timber production. Under the existing 1986 Forest Plan, 528,000 acres (38 percent) of the Ashley National Forest were designated as suitable for timber production. DEIS at 239. However, the area that is currently managed for timber production has been significantly reduced in size due to the implementation of the 2001 Roadless Rule. Id. The Forest Service fails to recognize that while the 2001 Roadless Rule did prohibit timber harvests in inventoried roadless areas, the prohibition is subject to exceptions. 36 C.F.R. [sect] 294.13(a)-(b); see 66 Fed Reg. at 3257 (Jan. 12, 2001) ("[hellip] the agency agrees with those respondents who asserted that science-based forest management might require some level of vegetative management in inventoried roadless areas. Thus, the agency has decided to allow some timber harvesting for clearly defined purposes in the final rule [hellip]."). Timber harvest is allowed in roadless areas to remove small diameter timber to improve threatened, endangered, proposed, or sensitive species habitat; or to maintain or restore the characteristics of ecosystem composition and structure (reducing the risk of uncharacteristic wildfires). Id. at [sect] 294.13(b)(1). It is also allowed when it is incidental to a management activity not otherwise prohibited, it is needed and appropriate for personal or administrative use, or the roadless characteristics have been substantially altered due to construction of a classified road and subsequent timber harvest. Id. at [sect] 294.13(b)(2)-(4). The Forest Service cannot continue to use the 2001 Roadless Rule as a basis for not managing its Forest when that Rule specifically allows for timber harvesting under the current circumstances. The "roadless areas" in the Ashley National Forest fit at least two exceptions, logging is necessary to restore ecosystem composition and structure and the roadless characteristics were altered due to road construction and previous harvests. The DEIS fails to address these exceptions and the imminent risk of wildfire.

Under the DEIS Alternative B, The number of lands identified as suitable for timber production is only 109,800 acres. Id. at 24, 236. The annual target for vegetation management treatments is only 1,500 acres per year the first decade and 1,200 acres per year the second decade. Id. at 24, 111. During the planning period of 10 years, the Forest Service will only treat 15,000 acres or 14% of the total lands identified as suitable for timber production. It would take about 90 years to treat just the 109,800 acres of lands identified as suitable for timber production. This leaves about 600,000 acres of forested vegetation (coniferous and seral aspen to coniferous forest) (id. at 241) to be treated with wildfires and other vegetation treatments. In the meantime, that 600,000 acres of forested vegetation will continue to die with increased fuel loading and degraded conditions leading to catastrophic fires and watershed failures. This is not management of the resources. It also clearly violates the Healthy Forests Restoration Act, 16 U.S.C. [sect] 6501 et seq. and the Forest Service Organic Act, 16 U.S.C. [sect] 475.V. USING WILDFIRES (NATURAL IGNITIONS) TO MEET RESOURCE OBJECTIVES IS NOT AN APPROPRIATE RESOURCE MANAGEMENT TOOLThe Forest Service must reduce wildfire risks and "enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape." 16 U.S.C. [sect] 6501; see also 16 U.S.C. [sect] 475 ("[n]o national forest shall be established, except to improve and protect the forest within the boundaries, or for the purposed of securing favorable conditions of water flows [hellip]"). The DEIS is not responsive to either legal mandates or documented resource conditions. The Ashley National Forest is in dire condition - tree mortality continues unabated, watershed health is steadily deteriorating, and vegetative conditions have and will produce catastrophic fires. The East Fork wildfire burned through wilderness and roadless areas alike. The attached photo clearly depicts the nearby dead timber and the areas burning. Attach. 2. While the Forest Service aggressively defended the fire and structures, using wildfire as management means no aggressive suppression and the loss of recreation structures, trails, and fences. Both the Ashley and adjacent Uinta-Wasatch-Cache National Forests have faced significant wildfires. These conditions are largely the result of the Forest Service's use of "hands off" management citing Wilderness, Inventoried Roadless Areas, and the planning effort that started in 2007. Under Alternative B, the Forest Service "would use wildland fire and other vegetation treatments to improve or maintain desired vegetation treatments to improve or maintain desired vegetation conditions on 6,600 to 32,000 acres per year during the life of the plan." DEIS at 117. "The emphasis would be to use fire for ecosystem maintenance and restoration." Id. Alternative B also states that "[u]se of natural ignitions for resource objectives would be encouraged, where conditions permit, on at least 10 percent of the ignitions over 10 years." DEIS at 17. In other words, treating on the low-end 6,600 acres per year with wildland fire and other vegetation treatments over the next 10 years will only amount to the management of 5% of 1.3 million acres of the Forest. Even in the unlikely

event the Forest Service is able to use wildland fire and other vegetation treatments on 32,000 acres per year over the next 10 years, this is only managing 24% of the entire Forest. It is unrealistic to use wildfires to manage resources considering the current condition of the Forest. The Forest Service has never used wildfire in the past to manage the vegetation resources, because when they occur, it is the wrong time of year to let them continue to burn - dry, hot, and little moisture. These conditions let the wildfires burn too hot and sets the vegetation resources back ecologically. With today's fuel loads and dryer climate, the results now are going to be even worse. The DEIS even recognizes that "[w]ildfire impacts are increasingly difficult to manage on national forests due to excessive fuel loads, a history of fire exclusion, an increased urban interface, and climate change." Id. at 35. About 50 percent of the Ashley National Forest's watersheds are functioning at risk, with watershed vulnerability at moderate to very high for wildfires. Id. at 58. Wildfires today are significantly different in the amount of heat, damage to the soil and vegetation, and duration than historical fire regimes. See id. (watershed vulnerability "increase[s] the severity and intensity of wildfires"). The DEIS must disclose and discuss the environmentally significant impacts of proposed management by wildfire. Wildfire kills fish and wildlife, destroys habitat, increases the loss of soil and water pollution, and facilitates invasions of noxious and invasive vegetation. Fires also release ozone precursors of VOCs and NOx into the air shed. The soil and air pollution are transported into southern Utah and Wyoming. These are all significant impacts that are barely disclosed, let alone analyzed, in the DEIS. There will be very little progress toward or meeting desired conditions through the use of wildfires. Without large timber harvest acres, large prescribed fire acres, and large mechanical vegetation treatments, the Forest will not move to a more desirable condition. The Forest Service must utilize and coordinate the use of both timber harvests and vegetation treatments (including prescribed fires) to move the Forest forward to healthier condition. There are also billions of dollars available to the Forest Service from Congress to support prescribed fire and vegetation treatments to help improve the conditions on the Ashley National Forest. Further, by identifying wildfires as a resource management tool and planning to use natural wildfires to meet resource objectives, the Forest Service is crossing a line on its authority and legal obligations. Wildfires are not charged to the National Forest, but paid for out of Wildfire Suppression Money. This money is used only for wildfire suppression, not for managed fires or fires used for resource management objectives. The Forest Service is usurping Congressional authority by using Wildfire Suppression Money for other uses, such as targeted resource management. Wildfires as a resource management tool also requires site specific NEPA analysis like a prescribed fire. However, it is going to be extremely difficult for the Forest Service to complete the necessary NEPA analysis once a wildfire starts and it is determined that it is "where conditions permit" to meet resource objectives.

VI. ADAPTIVE MANAGEMENT FOR GRAZING

The Coalition adopts and incorporates by reference the Wyoming Department of Agriculture's comments on grazing management and its proposed alternative language for the bighorn sheep guidelines. The DEIS currently does not provide a reasonable range of alternatives as it relates to bighorn sheep management. See 40 C.F.R. [sect] 1502.14(a). Once a sheep or goat grazing allotment is waived without preference, the end result under all alternatives will be closure of the allotment because separation between domestic and bighorn sheep cannot be accomplished. See DEIS at 25. The Coalition objects to the permanent retirement of domestic sheep grazing allotments and instead supports the use of best management practices to mitigate the risk of disease transmission between domestic and bighorn sheep. The Forest Service should be deferring to the Utah Bighorn Sheep Statewide Management Plan and the Wyoming Statewide Domestic Sheep/Bighorn Sheep Working Group Plan regarding management of bighorn and domestic sheep interaction. The Coalition also supports adaptive management for livestock grazing that is based on reaching desired conditions without set utilization and stubble height standards. Adaptive management must define the management objectives and invest in the monitoring to ensure they are achieved. Utilization and stubble height are not adaptive management, they are standards that may or may not be achievable. Historically, the Forest Service and the Ashley National Forest in particular has not monitored the allotments every five years. Without a real commitment to monitoring, adaptive management will not work. Livestock grazing on federal lands is governed by the specific Allotment Management Plans and Annual Operating Instructions, which ensure that livestock grazing is meeting the desired conditions. There is also generally not a one-size-fits all for the management of livestock grazing on federal lands because the soils and vegetation of each allotment are not the same and drought conditions vary year-to-year. The DEIS also does not explain what is not working under the current management or how it needs to change.

VII. CONCLUSION

The Coalition appreciates the opportunity to

comment on the Ashley National Forest Plan Revision DEIS and its members look forward to continuing to work with the Forest Service on a plan that will restore the Forest health and protect important watersheds. Sincerely, Eric South, Chairman Wyoming Coalition of Local Governments

cc: Governor of Wyoming
 Governor of Utah
 Wyoming Department of Agriculture
 Utah Department of Agriculture
 Wyoming Game and Fish
 Department
 Utah Division of Wildlife Resources
 Wyoming Office of State Lands and Investments
 Utah School and Institutional Trust Lands Association
 Utah's Public Lands Policy Coordinating Office
 Wyoming Stock Growers Association

Attachment 1 Ashley National Forest Plan Revision DEIS - Wyoming Coalition of Local Government's Comments

Ch. 1, Pages 2-3 There is no mention of Forest conditions and health. There is no credible statement of the need for an amendment to address the disease and mortality of the Forest in the planning area. Never has the Forest been so susceptible to catastrophic failure than it is today. Over half of the Forest's watershed are functioning at risk, with the other half showing signs of going the same direction within the 10 to 15-year Draft Plan's timeframe. The Ashley National Forest will not be able to sustain management of the suitable timber base with the projected treatments, and the plans to use wildfire as a management tool is not possible when the Forest is so out of alignment with the natural fire regimes. Wildfire destroys wildlife habitat and kills wildlife. Any reduction in fine fuels cannot compensate for the dead and dying timber that can be ignited from lightning or human-caused fire. Moreover, the Forest Service fire suppression procedures like back burns also have adverse environmental impacts on habitat, soil and watersheds.

Ch. 2, Page 4 The need for change addresses sustainable recreation (DEIS at 3), but then the DEIS states that the Travel Management Plan will not be addressed. There are many places in the Forest where dispersed camping is suitable in areas where the Forest Service promotes dispersed camping, is encouraged and has been administratively allowed outside the 150-foot rule. If the Forest Plan focuses on sustainable recreation, then dispersed camping outside of the 150-foot rule should be addressed. These areas should be identified as designated areas that support recreation outside the 150-foot rule that are beneficial, sustainable and ecologically supported. This issue was a high concern and commented on during other public comment periods.

Ch. 2, Page 12 Under the Elements Common to All Alternatives section, it states "Provide protection for riparian areas." The Coalition suggest changing the language to "Manage riparian areas." The DEIS provides no information on the status of riparian areas, outcome of monitoring, if any, or the standards used. The omission of these critical data points is telling since protecting riparian areas suggests riparian areas are being harmed or are at risk.

Ch. 2, Page 14 The Carter Military Road covers many miles across the Flaming Gorge and Vernal Districts. The limited access to this road has been controversial when trying to implement recreation, range, fuel, and fire projects. If the Forest Service wants to move the Forest to a desired condition, then this Management Area should be reconsidered or at least addressed as to not hamper moving the Forest to a desired condition.

Ch. 2, Page 17 The Forest Service proposes to use an unplanned event [ndash] wildfire (natural ignitions) - to meet resource objectives. It is planning on at least 10 percent of those natural ignitions over 10 years will meet the "where conditions permit" requirement to meet resource management objectives. The chance the Forest Service will be able to do this is very low. For a brief time, the Forest Service used "right fire, right time" to allow a fire to run when it believed more fire would help vegetation conditions. This policy has proven flawed, however, when fires got out of control and burned out entire communities or destroyed habitat, wildlife and soils. The DEIS needs to disclose and discuss the significant and irreversible commitment of resources when allowing wildfires to be a management tool. Wildfire, especially when hot, destroys biological material in the soils, thus making reclamation very difficult. Wildfire destroys habitat, kills wildlife and leaves soils vulnerable to landslides and invasion of noxious weeds. It also causes harm to water quality by increasing soil runoff and harm to air quality by the release of VOCs and NOx, well-known precursors to ozone. While the public focuses on smoke and particulates the hidden health risks are odorless and invisible. Further, human-caused wildfire have never been called "natural ignitions" and cannot be defined as such. The distinction between human-caused and natural ignitions is unwieldy. In many cases, the agencies cannot determine a cause or there be both causes [ndash] lightning in one area but an unattended fire in another that combine into an even larger fire. For the most part, wildfires are human-caused and therefore require full suppression.

Ch. 2, Page 25 The Coalition adopts and incorporates by reference the Wyoming Department of Agriculture's comments on bighorn sheep management. The concern for this management action is that there is not a reasonable range of alternatives. 40 C.F.R. [sect] 1502.14(a). Each alternative involving voluntary waiver without preference will result in the closure

of the domestic sheep allotments. The DEIS does not discuss the level of separation required between domestic sheep and bighorn sheep, and whether this would leave any of the acres in the sheep allotment remaining. The domestic sheep grazing season is already limited and would not allow for a shift in the season to reduce conflict between domestic sheep and bighorn sheep. Finally, not all of the sheep grazing allotments can be converted to cattle grazing because of the higher elevation. Ultimately, Alternative B would also result in closure of sheep allotments just like Alternative C.

Ch. 2, Page 27 According to the Wild and Scenic River Act ([ldquo]WSRA[rdquo]), in order to be found eligible, a river must be [ldquo]free flowing[rdquo] and contain at least one river-related value considered to be [ldquo]outstandingly remarkable.[rdquo] 16 U.S.C. [sect] 1271; Forest Service Handbook 1909.12, ch. 80, [para][para] 82.7 [ndash] 82.73a (Jan. 30, 2015) The Dowd Creek, Honslinger Creek, Spring Creek, and North Skull Creek are at best intermittent and far from [ldquo]free flowing[rdquo]. Just about every creek in the Flaming Gorge District has a cultural component, which is fully protected under the Archaeological Resources Protection Act and the National Historic Act. Without meeting WSRA criteria of free-flowing waters, these creeks do not meet [ldquo]outstandingly remarkable[rdquo]. In 2007, with respect to a regional WSRA study, the Coalition urged the Forest Service to incorporate the Utah Code criteria (Utah Code [sect] 63-38d-401). Those comments still apply, because the Forest Service has no authority to designate a wild or scenic river. The Secretary may do so when the state concurs or it is a decision left to Congress.

Ch. 3, Pages 35-36 [ldquo]Wildfire smoke, particularly from large fires, affects air quality on the Ashley National Forest on a seasonal basis. Emissions from wildland fire (wildfire and prescribed fire) can contribute to elevated ambient concentrations of air pollutants, potentially affecting human health and safety.[rdquo] DEIS at 35. [ldquo]Wildfire emissions, depending on the year, can be a large source of pollution within and around the Ashley National Forest. Management cannot control the emissions except indirectly, through fire suppression and fuels management.[rdquo] DEIS at 36. Why would the Forest Service try and manage any certain percentages of wildfires or natural ignitions if they are a large impact to air quality? Although prescribed fires may have some impact on air quality, they are generally small, are ignited only under a prescription after an EA, and have met Utah and Wyoming State Smoke Management Plans.

Ch. 3, Page 37 [ldquo]There are several activities on the Ashley National Forest that are sources of air pollutant emissions and have the potential to affect air quality and air quality- related values, such as visibility. Of these activities, prescribed fire and naturally ignited fires managed to meet resource objectives are the forest management actions with the greatest potential to affect air quality.[rdquo] DEIS at 37. This speaks directly to the reason why managing 10% of wildfires or natural ignitions over 10 years is not environmentally sound.

Ch. 3, Page 48 The DEIS needs to discuss the effects when prescribed fires get out of control. High winds typically convert a few thousand or even a few hundred acres into an all-out forest fire. See e.g. Trail Mountain Fire in 2018; Kirkwood Prescribed Fire (50 acres grew to over 2000 acres); Caples Fire (to burn slash and debris also exceeded 2000 acres).

Ch. 3, Page 50 The DEIS states [ldquo][t]he desired condition for livestock grazing management under Alternative A is to optimize forage to the extent that it is cost effective and balanced with other resources. This desired condition is being met in rangeland areas, except where soil condition are deteriorating.[rdquo] DEIS at 50. However, the Forest Service does not explain if and where soil conditions are deteriorating in rangeland areas. The Forest Service even admits later that [ldquo][m]ost rangeland on the Ashley National Forest is in good condition, and vegetation trends appear to be favorable and sustainable.[rdquo] DEIS at 249. But yet the Forest Service concludes that specific utilization and stubble height requirements under Alternatives B and C [ldquo]would better maintain rangeland conditions, including soil condition.[rdquo] DEIS at 52-53. If the Forest Service is going to make this conclusion, then it must explain the current conditions of the rangeland and why the current management is not effective.

Ch. 3, Page 97 [ldquo]Livestock grazing is a stressor of sagebrush communities. This long-term and enduring practice has affected plant compositions in most communities. Adjustments in grazing management to lower grazing intensity and improve range conditions of sagebrush communities have become more common.[rdquo] DEIS at 97. This is not an accurate statement. The volume of data and research regarding sage grouse and sagebrush habitat do not identify livestock grazing as a stressor. Instead, overgrazing by wild horses, ungulates, or livestock may be a stressor to sagebrush habitat. Drought is most commonly the direct cause of stress on sagebrush communities. Moreover, the DEIS overstates the potential for some livestock grazing to place stress on sagebrush communities when cattle will only eat sagebrush when there is nothing else to eat.

Ch. 3, Page 107 [ldquo]Effects from Livestock Grazing Management[rdquo] Section. The Coalition objects to the way the Forest Service is

portraying the effects of [ldquo]livestock grazing management[rdquo], because it is non-managed or poorly managed livestock grazing that would potentially affect terrestrial vegetation. The Forest Service grazing manual and handbook employs extensive regulatory tools to adopt and implement allotment management plans. Unlike wildlife, livestock grazing is managed by numbers and seasons of use, and these are adjusted each year to reflect current conditions. While it is possible that these impacts may occur, in the interest of accuracy, the DEIS needs to address the regulatory scheme rather than what might occur without federal law, rules or policy.Ch. 3, Page 108The DEIS states that [ldquo][t]he total for mechanical timber-oriented treatments is approximately (rounded to the nearest 100 acres), 1,500 acres for the first decade and 1,200 acres for the second decade. Combining mechanical treatments with prescribed burning treatments brings the totals to approximately 2,400 acres for the first decade and 2,100 acres for the second decade.[rdquo] DEIS at 108.Based on the discussions elsewhere, this should state 1,500 acres per year, 1,200 acres per year, 2,400 acres per year, and 2,100 acres per year. This also occurs elsewhere in the DEIS and the Forest Service must make sure to correctly state the total amount of timber harvest that is allowed. There is a big difference between 1,500 acres per year for the first decade versus 1,500 acres for the first decade.Ch. 3, Pages 117-118The DEIS states that under Alternative B, [ldquo]forage for livestock grazing would have forage utilization guidelines included in management (50 percent) as well as 4-inch or greater stubble height guidelines in riparian areas.[rdquo] DEIS at 117-118.The Forest Service is not consistent in how it defines this livestock grazing management action throughout the DEIS. The DEIS also states in other parts of the DEIS that it is a [ldquo]4-inch stubble height[rdquo] with no qualifications (DEIS at 18) or in other areas it states [ldquo]4-inch stubble height guidelines with exceptions where a difference height will meet desired conditions[rdquo] (DEIS at 24). The DEIS needs to be revised to be consistent with the proposed management action for Alternative B.Further, any numerical standard for height needs to be qualified by site capability. NRCS uses ecological sites as the base and, while often inaccurate, this is a recognition that soils, altitude, precipitation, and weather patterns all affect capability. Application of any standard also requires the Forest Service to use monitoring protocols rather than one-time ocular estimates.Ch. 3, Page 121[ldquo]The effects of wildland fire have the potential to drive ecosystem change at a landscape scale (Hessburg et al. 2015). As such, wildland fire is considered a primary disturbance agent that both currently and prehistorically has created this type of change. Across the Ashley National Forest, fire has influenced vegetation patterns, composition, structure, and development of both individual stands and the larger landscape.[rdquo] DEIS at 121.The Ashley National Forest on very rare occasions has had some wildfires that changed the landscape. Most of these fires have occurred on the south slope of the Uintas. This DEIS favors use of wildfires to achieve management objectives, and concludes this management is going to be the answer to a change in landscape and bring the forest to a more desirable condition. Without large timber harvest acres, additional prescribed fire acres, and large mechanical vegetation treatments, the forest will not move to a more desirable condition within this plan term.The past 15 years has been [ldquo]hands-off[rdquo] management and this has pushed up the fuel loads and allowed stands of dead and dying trees to increase. The higher risks of wildfire mean loss of biological material in the soils, loss of wildlife and habitat, increased runoff into streams and creeks, threats to municipal watersheds, and increase in invasive species that replace burned vegetation.The northern Ashley National Forest in Utah provides watersheds that feed municipal water supplies for Uinta and Sweetwater Counties. The watersheds also supply water for farms and ranches. The resulting silting of dams and reservoirs from wildfires is both costly to repair and time-consuming. These basins should be managed to protect municipal watersheds. The Forest Service can quantify the wildfire impacts using the East Fork Fire, which combined with the Trail Mountain Fire, burned more than 90,000 acres. The landslides into rivers and creeks have affected streams and water quality. Without extensive rehabilitation, invasive weeds also replace native vegetation.Ch. 3, Page 124[ldquo]In contrast to fire suppression, the forest has infrequently used unplanned ignitions to manage wildfires and reduce fuels. Out of an average 20 to 30 wildfires each year, one to two of them have been managed wildfires.[rdquo] DEIS at 124.This is the typical amount of current fires on the Ashley and the infrequency of the use of wildfire being managed for resource objectives. But yet the Forest Service wants to use wildfires as a resource management tool.Ch. 3, Page 125[ldquo]While large fires have burned a significant number of acres across the Ashley National Forest, they are generally rare, with less than 1 percent burning more than 1,000 acres. Due to the strong influence of the monsoon weather, the fire season is determined by its occurrence or lack of occurrence. Lightning from thunderstorms typically begins in late May and accounts for 68 percent of the

fires. Due to vegetation green up, 77 percent of the fires are usually less than a quarter of an acre and are easily suppressed. The potential for larger fires (greater than 100 acres) usually occurs between late-June and mid-July. As the monsoons become more common by mid- to late July, all fires are less than 100 acres.[rdquo] DEIS at 125.This statement and the previous one pretty much sums up all the alternatives that address management of wildfire to meet resource objectives. If you have 30 wildfires each year, three fires would be managed for 3,000 acres if the conditions allowed.The conditions of the Forest will not allow a wildfire to be used as a resource management tool and we will instead see situations like what happened with the East Fork Fire in 2020.Ch. 3, Page 129[ldquo]The analysis is based on the following assumptions:[bull] Acres with fuels treatments have reduced departure because treatments have altered the structure and composition of vegetation or fuel loads; this moves vegetation toward desired conditions.[rdquo] DEIS at 129This does not move the structure to a more desired condition. Fuel treatment without rehabilitation to kill invasive species only replaces native vegetation with non-native species. A treatment in Lodgepole pine without any thinning creates a less desired condition because of the natural regeneration. The density and fuel loading become extremely high.Ch. 3, Page 147The DEIS needs to address the current overlap of bighorn sheep range with domestic sheep grazing allotments. It recognizes that since reintroduction, the bighorn sheep have expanded their range on the Ashley National Forest. However, it must also explain how this expansion has caused conflict between domestic sheep and bighorn sheep.Ch. 3, Pages 160-161The [ldquo]Effects from Livestock Grazing Management[rdquo] on terrestrial and aquatic wildlife and plants sections focuses solely on the effects of overgrazing and negative impacts. The DEIS should also discuss the positive effects that proper livestock grazing can have on vegetation and wildlife habitat.The DEIS fails to account for the current regulatory program that prevents overgrazing and environmental harm. These statements might have been true in isolated contexts, but the National Forests started regulating grazing in the early 20th Century. The DEIS needs to discuss what is the case for the Ashley National Forest, not some hypothetical landscape.Ch. 3, Page 171[ldquo]Management of unplanned ignitions on at least 10 percent of ignitions would result in short-term impacts on wildlife and at-risk species, such as temporary habitat loss and the potential for injury or mortality. It also would result in long- term impacts such as improved habitat quantity and quality due to increased flexibility and the ability to reach desired conditions, relative to alternative A. The location of these effects cannot be predicted because the location of future unplanned ignitions is unknown.[rdquo] DEIS at 171.The Forest Service[rsquo]s management of unplanned ignitions resulting in only short- term impacts to wildlife and at-risk species is very optimistic. The use and control of an unplanned event produces some of the worst kind of fire conditions and has the potential to produce serious impacts to wildlife and at-risk species. As noted elsewhere in these comments, other impacts include invasive species replacing native plants, loss of soil, increased runoff and harm to water quality.Ch. 3, Page 176For Alternative D, [ldquo][u]nlike the other action alternatives, limits to forage utilization and stubble height would not be predetermined, but they would be based on land health standards. This could limit habitat improvements for wildlife and at-risk species if greater forage utilization and lower stubble height were generally used; this would translate to reduce habitat features such as forage and cover.[rdquo] DEIS at 176.Again, this incorrectly assumes that overgrazing is occurring, that land health standards are not being met, or even that the requirements set out in individual allotment management plans are insufficient in protecting the vegetation and wildlife habitat. There is nothing in the DEIS showing that there is currently a problem, and instead the DEIS states that the rangelands are in good condition. DEIS at 249.The DEIS also needs to define land health standards. The Department of the Interior adopted rangeland health principles, but the Forest Service did not.Ch. 3, Page 227The IDT Program Lead for the Cultural and Heritage Section of this Forest plan revision has also submitted individual comments on the draft plan during a public comment period. There is a concern about a potential conflict occurring when a IDT team member who is helping to draft a plan and the DEIS is also submitting individual public comments in attempt to sway the decision of the Forest Service.Ch. 3, Page 241[ldquo]Fuelwood harvest accounts for approximately 49 percent of forest products removed on the Ashley National Forest annually; saw timber accounts for 30 percent, and post and poles represent approximately 20 percent. Composition analyses in the decision area indicate that single-tree selection harvest represents approximately 38 percent (50,800 acres) of the total acres suitable for timber production on the forest.[rdquo] DEIS at 241.Therefore, almost half of the 1,500 acres available for timber production under Alternative B would be for individual firewood use and not timber sales.Ch. 3, Page 255Alternative C would prohibit livestock grazing on 13,000 acres within destination recreation areas. However,

the DEIS notes that there [is] a small potential [sic] for the need for closures of additional acres in pastures where cattle could not be effectively restricted, resulting in additional loss of HMs. DIES at 225. The Coalition objects to the closure of any grazing allotments in destination recreation areas and further objects to an open-ended proposal to close additional acres if needed. Ch. 3, Page 260 A new oil and gas leasing analysis will likely be needed for any future oil and gas leasing on the national forest. This is because the existing EIS and decision date back to 1997; they do not consider the 2001 Roadless Rule or the 2015 decision regarding greater sage-grouse and associated habitat. There is not a question of this [likely] being needed, but that it [will have to be completed] in the future if not addressed in the plan revision. The 2012 Planning rule requires that the responsible official consider mineral energy resources in the planning document. 36 C.F.R. 219.10(a)(2). Moreover, NEPA requires that the Forest Service identify all significant issues on the forest as they relate to the management actions being proposed. *Dept. of Transportation v. Public Citizen*, 541 U.S. 752 (2004); *Motor Vehicle Mfrs. Ass'n of the U.S., Inc. v. State Farm Mut. Auto. Ins.*, 463 U.S. 29, 43 (1983) (agency must consider the important aspects of the problem). The Forest Service, therefore, cannot merely kick the can down the road when the Forest Plan must, at a minimum, set out the basic parameters for oil and gas leasing. The 2001 Roadless Rule and the 2015 Greater Sage-Grouse ARMPA do not change this result. Those documents only increase the need to perform an analysis of the management situation as it applies to oil and gas leasing. The Forest Service must analyze and disclose reasonably foreseeable mineral potential including studies and analysis by the Department of the Interior. The Forest Service must provide a reasonable estimate of potential development to inform the analysis. The Forest Service must provide a reasonable qualitative approximation in the absence of data and describe lacking data. Appendix E, Page 14 Objectives (FW-OB-WA) [Improve the condition class of at least two priority watersheds, as defined by the National Watershed Condition Framework, every 10 years. With at least 50 watersheds functioning at risk (DEIS at 58), the objective of improving at least two priority watersheds every 10 years is not going to solve the problem. At that rate, more watershed will be moving into the functioning at risk from functioning properly, and those that are already functioning at risk watersheds will be moving into not functioning or impaired function. It will not be enough to improve the condition class of at least two priority watersheds every ten years, as defined by the National Watershed Condition Framework. Further, there are not enough vegetation treatments planned to occur to keep the Ashley National Forest watersheds from falling into impaired function. With watersheds failing, catastrophic consequences will happen for those downstream of Forest Service watersheds. The Forest Service needs to have a land use plan that puts more emphasis on the kinds of projects and infrastructure needed to move watersheds in the right direction. Appendix E, Pages 16-17 It is difficult to determine if the Riparian Management Zone widths are the total distance or distance from each side of the stream, pond, lakes, etc. For example, if the 150 feet slope distance from perennial streams mean 150 feet from both sides, or 75 feet from each side for a total of 150 feet? Riparian areas are not a readily quantified area because it is a matter of soil and vegetation, not numerical feet. The Coalition would also request a reduction in the Riparian Management Zone widths because this is just another restricted area on an already overly special designated Forest. Appendix E, Page 26 Objective (FW-OB-FVC) [Complete forested vegetation management treatments, such as timber harvest, planned ignitions, thinning, and planting, every year on 1,648 acres of the Ashley National Forest, measured for every 10 years, to maintain or move toward achieving desired conditions for forested ecosystems. Table 7 and table 8 display the projected annual vegetation management practices. Where does 1,648 acres come from? It does not match any number analyzed in the DEIS. Alternative B calls for 1,500 acres per year and Alternative C calls for 1,600 acres per year. DEIS at 24. Appendix E, Page 28 Objective (FW-OB-NFV) [Restore ecological function, integrity, and resilience; move toward upward trend; or maintain desired condition of 2,500 acres (on average) annually of non-forest vegetation during the life of the plan This would apply to non-forest areas threatened by conifer encroachment or invasive plants or that are in degraded condition. What treatments are to be used in accomplishing the objective? Appendix E, Page 87 [Vegetation composition based on resource values (RVs). Total ground cover within 85 percent of potential. Plant species richness within range of variability. Conifer encroachment limited to 10 percent tree crown cover or less.] The Coalition cannot agree with the approach the Forest Service has taken on applying a total ground cover within 85 percent of potential. This percentage comes from a document used for FIA inventory purposes and has been misused by many specialist in Region 4 and on the Ashley National

Forest. Ecological sites need to be used to calculate the percentage of potential for total ground cover. These sites need to be refined as well since the NRCS ESDs are on a general scale and soil can vary within a short distance. The Coalition requests the Forest Service to re-word the above to reflect Ecological Site, not a strict 85 percent.