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Comments: Public Comments

I want to thank the USFS for receiving public comments on the Preliminary Assessment of the Anvil Vegetation Management Project and the Emergency Action Determination thereof, the latter under authorization of USDA Secretarial Memo 1078-006 titled, "Increasing Timber Production and Designating an Emergency Situation on National Forest System Lands", and signed by Secretary of Agriculture Brook Rollins on April 3, 2025.

A public comment period enhances the USFS's ability to serve the American people and the health of our public lands by including the experience, knowledge and technical science of citizen stakeholders in the decision-making process. It also provides at the local level a reading room forum of information as provided by diverse interests and communities throughout the Mt. Hood National Forest region.

Authorized Emergency Action vs. Desired Future Condition

Like many Americans, I am all too aware of the many structural and policy changes that are impacting federal agencies at this time, the USFS and USDA included. As a forest defender and local woodlands nature enthusiast, I am also aware of the many complex challenges that need to be addressed in the MHNH region today and into the future.

With that in mind, I have many reservations about the legality and long-term ecological priorities of the Anvil VMP as well as its baseline rationale of authorization as stated, that being that 1) 89% of the project is designed to take place within the USDA's nationwide EAD area, and 2) that the project complies with the USDA's EAD requirements and priorities.

I am also concerned that approval of the Anvil VMP as it stands could establish a cookie-cutter design precedent for future EADs in MHNH; that is, EADs which aim to accommodate a top-down interface of policy initiatives recently issued by the USDA or by Executive Order, in particular:

- 1) Executive Order 14225, Immediate Expansion of American Timber Production; March 1, 2025
- 2) USDA Secretarial Memorandum 1078-006; April 3, 2025
- 3) USDA Wildfire Directive Memorandum 1078-22; April 28, 2026

By contrast, from a ground-up perspective of the Anvil VMP:

- 1) Commercial variable diverse thinning of overcrowded tree plantations does not comply with AED statutory standards of "necessary" or "immediate".
- 2) Similarly, commercial variable diverse thinning does not comply with AED statutory standards that aim to achieve relief from "hazards threatening human health and safety, or mitigation to threats to natural resources".
- 3) Nor does commercial variable diverse thinning comply with the list of nine types of emergency action permitted the USFS as stated in Secretarial Memorandum 1708-006.

In fact, the Anvil VMP Preliminary Assessment asserts that disruption to the natural condition of forests in the

project area is due to either (1) long-term historical USFS policy applications, namely, fire exclusion, clear-cutting, and even-aged silviculture practices; or (2) by shifts in weather conditions that have led to decades-long drought.

These developments warrant prescription-based survey analysis and mitigation, not Authorized Emergency Action.

As regards the long-health of the project area forest, a Desired Future Condition survey and report might perform as a better starting point for mitigating the fire-related challenges listed in the Infrastructure Investment and Jobs Act, section 40807, and restated in Memorandum 1078-006.

Fire has a natural place in the life of MHNH. The DFC strategy would establish a foundational fire policy for Anvil project landscapes, one that addresses fire exclusion, unchecked natural burns, fire-dependent forests, etc., before implementing AEAs to site-specific historical conditions in ways that might be legally suspect or less than ecologically optimal.

DFC landscape surveys and reports could then be produced in a manner consistent with future forest management projects throughout the MHNH. I

DxD and DxD vs. Designation by Marking

Lastly, I have concerns regarding the USFS directive "Implementation of Secretarial Memo 1708-006" (April 3, 2025), specifically where it instructs Regional Foresters and Deputy Chiefs to replace tree marking by paint with "designation by description" (DxD) and "designation by prescription" (DxD). These concerns are made more acute in a project like Anvil that calls for AEA implementation during a time of USFS staff reductions, loss of agency expertise, time and cost reduction initiatives, and an expedited increase of wood product extraction.

The Anvil VMP Preliminary Assessment includes an extensive, detailed "Appendix A: Project Design Criteria (PDC)" without any mention of default preferences DxD and DxD. Nor is there mention of how DxD and DxD procedures carried out by logging contractors would be best implemented, managed and monitored by the USFS. This omission is unacceptable, even negligent, when concurrent USDA/USFS policy explicitly prioritizes:

- 1) Emergency and direct hire authorities (including hiring Tribal crews to implement and monitor); Secretarial Memorandum 1708-006.
- 2) Expedited contracting authorities or mechanisms, including virtual incident procurement (VIPR), sole source contracting, and USDA contracting authorities and include Tribes within that effort; Secretarial Memorandum 1708-006.
- 3) Streamline, to the extent allowable by law, all processes related to timber production, including project planning, decision-making, implementation (including preparation, appraisals and measurements), and required certifications; Secretarial Memorandum 1708-006.

To rectify this omission, the USFS must explicitly address how staff and procedure will insure that DxD and DxD applications will be effectively and legally implemented and monitored over the course of the Anvil VMP with regard to all actions that entail tree selection, tree removal, road building and road rehabilitation. If DxD and DxD applications are not planned for the Anvil VMP, the USFS must clearly state the case as such.