

Data Submitted (UTC 11): 6/1/2018 4:29:33 PM

First name: Dick

Last name: Artley

Organization:

Title:

Comments: June 1, 2018

Dear Paula Guenther and selected IDT members,

"When the last tree is cut down, the last fish eaten, and the last stream poisoned, you will realize that you cannot eat money"

Cree Indian Proverb, about 1885

Please accept and consider these comments on the proposed Willoughby WUI timber sale pre-decisional EA and read them with an open mind. Before I begin the specific comments, I have a few things to say to the IDT members.

As a forest planner in the Nez Perce NF in Idaho before I retired I had the opportunity to work with many IDTs. The members were all well educated and intelligent people. The non-timber and non-engineering IDT members with the responsibility for protecting and conserving amenity resources were dedicated. They were often able to convince the Responsible Official to significantly modify the Proposed Action to eliminate the chance their resource would sustain damage and the public would be harmed when the sale was implemented. I hope this is the case here.

Paula, you disappoint me. When we worked together on the Nez Perce NF I remember you as a real professional. You would go the extra mile to assure the public was being served and most resources would be unharmed after project implementation. Your peers trusted you to do the right thing. I guess you changed to fit in on the Umatilla NF. Before I retired I remember receiving phone calls from a resource specialist who transferred to the Umatilla. She could not believe the USFS had sunk so low. She said the Umatilla NF was controlled by "timber beasts" who would routinely trash any amenity resource for volume. She was ridiculed and laughed at when she raised concerns. I guess things have not changed there. Otherwise you wouldn't be associated with a project that has been so twisted to assure maximum volume. The Umatilla must still have line-officers with a clinical obsession to accumulate volume at any expense to the other resources. I hope Supervisor Watrud has the courage to deal with it. I also hope he know what he is about to encounter.

Trading away peoples lives and homes for volume is criminal. Only now are a few USFS line-officers saying no and really take action to save homes and lives. Clearly, this isn't the case on the Umatilla.

Each Umatilla NF employee should examine and allow their actions to be guided by these wise words:

"It is horrifying that we have to fight our own government to save the environment."

Ansel Adams

"We must protect the forests for our children, grandchildren and children yet to be born. We must protect the forests for those who can't speak for themselves such as the birds, animals, fish and trees."
Chief Edward Moody

"God has cared for these trees, saved them from drought, disease, avalanches, and a thousand tempests and floods. But he cannot save them from fools.
John Muir

"The Eyes of the Future are looking back at us and they are praying for us to see beyond our own time."
Terry Tempest Williams

Paula and Ms. Taylor, please apply Dr. Jack Cohen's fine fuels removal methods to further reduce the risk to people's homes and the lives of family members in the Lehman/Hidaway WUI areas that are at risk should a wildfire start nearby. Not proposing to apply Dr. Cohen's fine fuel removal methods in this draft EA shows you are more concerned with the volume generated by fuels logging than you are someone's home and the lives of their family members.

Without changes between draft & final you will risk people's lives. There are severe civil penalties for federal officials convicted of knowingly putting the public at risk.

The research conclusions of Dr. Jack Cohen (a USFS employee) explaining why and how logging is an ineffective way to reduce fire intensity and rate of spread are contained in Opposing Views Science Attachment #11. Here are a few examples of quotes from literature authored by Dr. Cohen:

"Computations, experiments, and disaster examinations show that a home's ignition potential during extreme wildfire is principally determined by the characteristics of a home's exterior materials, design, and associated flammable debris related to surrounding burning objects within 100 feet (30 meters) and firebrands (lofted burning embers). I call this area-a home and its immediate surroundings-the home ignition zone (HIZ). Thus, given an extreme wildfire, the HIZ principally determines the potential for home ignition and this reveals opportunities for preventing WUI fire disasters."

THE WILDLAND-URBAN INTERFACE FIRE PROBLEM

Published by Fremontia, Volume 38, April/July 2010

http://www.cnps.org/cnps/conservation/pdf/fire/frem38.2_38.3_cohen.pdf

"Treating fuels to reduce fire occurrence, fire size, or amount of burned area is ultimately both futile and counter-productive." (Pg.1999)

"It may not be necessary or effective to treat fuels in adjacent areas in order to suppress fires before they reach homes; rather, it is the treatment of the fuels immediately proximate to the residences, and the degree to which the residential structures themselves can ignite that determine if the residences are vulnerable." (Pg.1999)

"Some viable fuel treatments may actually result in an increased rate of spread under many conditions (Lertzman et al., 1998; Agee et al., 2000). For example, thinning to reduce crown fire potential can result in surface litter becoming drier and more exposed to wind. It can also result in increased growth of grasses and understory shrubs which can foster a rapidly moving surface fire." (Pg.2000)

Objectives and considerations for wildland fuel treatment in forested ecosystems of the interior western United

States

Published in Forest Ecology and Management 256, 2008

<http://www.firewise.org/Information/Research-and-Guidance/WUI-Home-Ignition-Research/~media/Firewise/Files/Pdfs/Research/CohenFuelTreatment.pdf>

"Wildland fuel reduction beyond the home ignition zone does not necessarily change home ignitability; therefore, wildland fuel reduction does not necessarily mitigate the W-UI fire loss problem." (Pg. 9)

"Effective landscape fuel reduction does not necessarily prevent W-UI home fire destruction." (Pg. 10)

What is the wildland fire threat to homes?

Thompson Memorial Lecture, School of Forestry, Northern Arizona University, Flagstaff, AZ, 10 April 2000. 13 p.
<https://www.frames.gov/catalog/22666>

"Vegetation management beyond the structure's immediate vicinity has little effect on structure ignitions. That is, vegetation management adjacent to the structure would prevent ignitions from flame exposure; but vegetation management away from the structure would not affect ignition from flame exposure and would not significantly reduce ignitions from firebrands." (Pg. 4)

"Past reports and recommendations as well as experimental research and modeling suggest that W-UI fire-loss mitigation should concentrate on the residence and its immediate surroundings. Any strategy for effectively reducing the W-UI fire problem must initially focus on residential fire resistance." (Pg. 5 - Conclusion)

Structure Ignition Assessment can Help Reduce Fire Damages in the WUI

Published in Fire Management Notes, Volume 57 No. 4, 1997

http://www.fs.fed.us/rm/pubs_other/rmrs_1997_cohen_j001.pdf

Intelligent, rational, caring land managers without a Ph.D. in fire physics who really want to save people's lives and homes in the WUI would apply and depend on Dr. Cohen's fire damage risk reduction methods. There is no legitimate reason to reject Dr. Cohen's fine fuels removal methods.

*The USFS could hold workshops and distribute written information to WUI residents to explain Dr. Cohen's methods so they could apply them to their property.

*The USFS could offer to remove fine fuels near homes in the WUI owned by handicapped and/or elderly residents with written permission.

Please do your job by including the 2 bulleted actions above as part of the Proposed Action.

Conquer the urge to reject Dr. Cohen's science because fine fuels reduction does not produce timber volume like hazardous fuels logging.

These comments constitute your notification of the superiority of fine fuels removal to eliminate damage to homes in the WUI. You will not be able to claim "I didn't know" in court when a landowner who was burned-out learns you chose to ignore this information. I have several aerial photos on file showing the damage after a fire swept through an urban area. One photo shows a house still standing among the others nearby that were reduced to ashes. The photo has a caption explaining the advantages of fine fuels removal. Remember, you will make these comments available for the public to read.

This 2014 High Country News article describes the effectiveness Dr. Cohen's fine fuels removal methods:

<http://www.hcn.org/articles/the-loss-of-homes-to-wildfire-is-as-much-a-sociopolitical-problem-as-it-is-a-physical>

Comment: One of your fellow USFS employees' research conclusions indicates fine fuels removal is far superior to commercial hazardous fuels logging farther away from the WUI than 100 yards, yet your draft EA EIS doesn't mention Dr. Cohen's research conclusions. Dr. Cohen states several times in the many scientific papers he authored that commercial fuels removal farther than "100 to 200" feet from the WUI is ineffective. Why then do you propose widespread fuels logging? Of course I know the answer ... you want the volume.

Telling the public one purpose of the sale is to "Remove hazardous fuels" eliminates the option of analyzing an alternative that reduces the chance that homes will burn in the WUI should a wildfire start in the area. Thus, the Proposed Action would require the USFS to:

- *distribute handouts to WUI residents describing Dr. Cohen's fine fuels removal methods (where and how).

- *contact the people living in the WUI and announce fine fuels removal workshops will be held to answer questions. These workshops will present Dr. Cohen's research conclusions that prove commercial hazardous fuels logging farther than 100 yards from the WUI is ineffective.

- *offer to remove the fine fuels (with written permission) on private property owned by elderly and disabled homeowners who cannot do the work themselves.

Indeed, there is a reason people use fine fuels (i.e. kindling) to start a fire in the fireplace.

Not doing so clearly indicates the Responsible Official values volume more than human lives.

Request for changes to be made to the final NEPA document: Assure the Proposed Action alternative includes applying Dr. Cohen's fine fuels removal methods near the homes at risk. This would require USFS employees helping elderly/handicapped homeowners do the job with written permission.

This issue is too serious to sweep under the rug. Not doing so will relinquish your responsibility to serve the public as well as violating the following laws:

40 CFR 1500.2(e) and (f), NEPA Sec. 101(b)(2), NEPA Sec. 101(c) and Ex. Ord. No. 13045, Apr. 21, 1997 [section 1-101(a)]

Also, the draft FONSI will violate 40 CFR §1508.27(b)(2)

If the final EA's Proposed Action is silent on Dr. Cohen's methods you can be sure my letter to the editor in the East Oregonian will alert the public to the situation. Indeed, the court of public opinion is often more effective than a court of law at stopping the USFS from implementing a tragic project.

You propose to remove fuels using commercial logging to reduce the damage to homes in the WUI should a wildfire occur.

P&N statement at page 2 states:

"This action is needed for firefighters to work safely in the area and increase the probability of protecting life and property, surface fuels need treatment to reduce potential flame lengths to less than four feet."

I have spent too long trying to convince USFS Responsible Officials to eliminate the need for hazardous fuels removal from their timber sale NEPA document's Purpose and Need. Below I present irrefutable science evidence explaining that when a fire encounters logged over areas the intensity and rate of spread does not

change. However, since fuels reduction is now the primary excuse used by the agency to justify logging a healthy forest, the IDT members ignore best science to be "team players."

Comment: Dr. Jack Cohen is a retired USFS fire physicist who did his fire research at the Missoula Equipment and Development Center. His research had conclusions showed this:

- 1) "Treating fuels to reduce fire occurrence, fire size, or amount of burned area is ultimately both futile and counter-productive." (Pg.1999)
- 2) "Some viable fuel treatments may actually result in an increased rate of spread under many conditions (Lertzman et al., 1998; Agee et al., 2000). For example, thinning to reduce crown fire potential can result in surface litter becoming drier and more exposed to wind. It can also result in increased growth of grasses and understory shrubs which can foster a rapidly moving surface fire." (Pg.2000)

Source:

Objectives and considerations for wildland fuel treatment in forested ecosystems of the interior western United States (page 10)

By: Dr. Jack Cohen (a USFS fire physicist)

Published in Forest Ecology and Management, issue 256, 2008

<http://www.firewise.org/Information/Research-and-Guidance/WUI-Home-Ignition-Research/~media/Firewise/Files/Pdfs/Research/CohenFuelTreatment.pdf>

What credentials do you and your IDT members have that justify rejecting the research conclusions of a USFS employee with a Ph.D. in Fire Physics?

Hazardous fuels removal is the primary excuse used by USFS line-officers to serve their corporate masters with logging opportunities. Most resource specialists know this. They know they are expected to play the game. They are terrified that they will be punished if they don't participate in this bogus excuse to log a properly functioning tract of forest because without it the Responsible Official will have more difficulty justifying removal of their precious volume.

Opposing Views Science Attachment #8 contains the opinions of scores of Ph.D. independent scientists who describe why the ridiculous notion that logging slows the advance of forest fires is false. Two of these scientists are USFS employees not afraid to speak the truth. The science is compelling and would not be rejected by an intelligent, caring person without an agenda.

Here are some examples of fire science you should become familiar with:

Harvesting dead trees is bad for forests

Published in the Spokesman Review newspaper, February 8, 2018

By George Wuerthner, forest ecologist and author of 38 books

Link: <http://www.spokesman.com/stories/2018/feb/08/george-wuerthner-harvesting-dead-trees-is-bad-for/>

Excerpts:

"Colville forest Supervisor Rodney Smoldon was quoted as suggesting that removal of trees would expand "forest restoration work necessary to reduce the risk of wildfire in northeast Washington."

Apparently, Supervisor Smoldon and his staff are not well-versed in fire ecology. They are selling "snake oil."

Numerous studies have shown large wildfires are driven by climate/weather, not fuels. When you have severe

drought, low humidity, high temperatures and high winds, nothing works to halt a blaze. And since all large fires occur under extreme fire weather, this suggests that so-called "fuel reduction projects" are a waste of money.

For instance, a study published last year concludes: "However, the effectiveness of this approach (fuel reductions) at broad scales is limited. Mechanical fuels treatments on US federal lands over the last 15 y (2001-2015) totaled almost 7million (hectares), but the annual area burned has continued to set records. Regionally, the area treated has little relationship to trends in the area burned, which is influenced primarily by patterns of drought and warming."

Another study found "fuel treatments ... cannot realistically be expected to eliminate large area burned in severe fire weather years."

Fuel reductions ineffective; mandate fire-wise protections

Published in the Missoulian newspaper, September 5, 2017

By George Wuerthner, forest ecologist and author

Link: http://missoulian.com/opinion/columnists/fuel-reductions-ineffective-mandate-fire-wise-protections/article_64841590-c42e-5fd0-80ae-b8a025f94bbe.html

Excerpts:

"Recently, Secretary of the Interior Ryan Zinke, along with Agriculture Secretary Sonny Perdue, U.S. Sen. Steve Daines and U.S. Rep. Greg Gianforte, visited the Lolo fire near Missoula. All proclaimed that more forest "management" (logging) would preclude large fires like Montana and other states have experienced in recent years."

"The problem is the knowledge of forest ecology of most politicians as well as far too many agency personnel is about as sophisticated as the medical profession of a hundred years ago when the most common treatment for the disease was to bleed the bad blood from a patient."

"In fact, the science, suggests that forest management tends to increase fire severity.

The real issue is climate change. Large wildfires, like large hurricanes, are a direct consequence of warming climate. Just as you can't engineer your way to reducing large hurricanes as long as the climate continues to warm, the same is true of wildfire."

Fires necessary to sustain ecological integrity

Published in the Missoulian newspaper, August 16, 2017

By Richard Hutto, professor emeritus of biology and wildlife biology with the Division of Biological Sciences at the University of Montana

Link: http://missoulian.com/opinion/columnists/fires-necessary-to-sustain-ecological-integrity/article_648a3bf0-dfc7-51e9-984c-ebf66f9f36c4.html

Excerpts:

"Finally, Racicot is mistaken if he believes that "there's something we can do to minimize, and in many instances even eliminate... the wholesale destruction of natural resources critically important to all of us." Sorry, Racicot, a large volume of fire research shows, unequivocally, that timber harvest does little to minimize or stop the wind-driven fires during the hot, dry years that typically burn most of our forest lands periodically. Just walk through the old Plum Creek land that burned to a crisp during the 2007 Jocko Lakes fire near Seeley Lake to see for yourself how those fires burned through even the most heavily harvested lands.

Even if we could mitigate or prevent severe fire, would really we want to do that anywhere but in or immediately adjacent to our developed communities? The only person who would say that wildfires cause the "wholesale destruction of natural resources" is one who has absolutely no ecological literacy. We need more informed leadership if we are to adopt forest management practices and working forests that are truly conservation-oriented."

-----Commercial Logging Causes Forest Fires

Published in FOREST CONSERVATION NEWS TODAY, July 20, 2002

OVERVIEW & COMMENTARY by Forests.org

Link: <http://wgbis.ces.iisc.ernet.in/envis/doc1999ahtml/biodcomi220928.html>

Excerpts:

"It is well known scientifically that "commercial logging actually increases fire severity by removing large, fire-resistant trees and leaving behind very small trees and flammable "slash debris"--branches, twigs and needles from felled trees. The removal of mature trees also decreases the forest canopy, creating hotter, drier conditions on the ground. The additional sun exposure encourages the growth of flammable brush and weeds. Reduction of flammable underbrush can reduce fire severity, and environmental groups have encouraged such projects. However, the Bush administration has grossly misused the funds that Congress appropriated for brush reduction near homes. In Sierra Nevada national forests last year, more than 90% of these funds were instead earmarked for preparation of large timber sales focused on the removal of mature and old-growth trees miles from the nearest town."

"The Forest Service, Bush administration and anti-environmental members of Congress are spreading a great deal of misinformation about wildfire, hoping to capitalize on public fire hysteria and minimize public opposition to increased logging and roadbuilding in our national forests," said Jake Kreilick of the National Forest Protection Alliance based in Missoula, Montana. "With virtually all new timber sales couched in terms of 'reducing fuels' or 'restoring forest health,' fire hysteria has emerged as the driving force behind the Forest Service's logging program and the administration's efforts to 'streamline' our nation's environmental laws," Kreilick said."

A Report to the President in Response to the Wildfires of 2000

By Lyle Laverty USDA Forest Service and Tim Hartzell U.S. Department of the Interior, September 8, 2000

Link: <http://frames.nacse.org/6000/6269.html>

Excerpts:

"Most of the trees that should be removed to reduce accumulated fuels are small in diameter and have little or no commercial value."

"Mechanically removing fuels (through commercial timber harvesting and other means) can also have adverse effects on wildlife habitat and water quality in many areas. Officials told GAO that, because of these effects, a large-scale expansion of commercial timber harvesting alone for removing materials would not be feasible. However, because the Forest Service relies on the timber program for funding many of its activities (including reducing fuels) it has often used this program to address the wildfire problem. The difficulty with such an approach, however, is that the lands with commercially valuable timber are often not those with the greatest wildfire hazards."

Comment #: Mr. Lyle Laverty was a USFS employee who placed forested ecosystem health above volume when he told the public the truth about the need to log hazardous fuels. In a Report to the President in Response to the Wildfires of 2000 he stated: "Most of the trees that should be removed to reduce accumulated fuels are small in diameter and have little or no commercial value." Ms. Guenther, please tell the public why you propose to commercially log large, merchantable trees that are NOT small in diameter and have little or no commercial

value.

Testimony to the Agriculture, Nutrition and Forestry Committee United State Senate. Hearing to Review Healthy Forests Restoration Act, HR 1904 on June 26, 2003

By:, Arthur Partridge Ph.D., Professor Emeritus, University of Idaho

Link: <http://www.saveamericasforests.org/congress/Fire/PartridgeSenate03.htm>

Excerpt:

"The current focus on 'fuels' is, in itself, misguided because almost anything in a forest will burn, given the right conditions. Any fire specialist will tell you that the principal factors affecting fire are temperature and moisture, not fuels. No legislation will prevent or even reduce fires in the vast areas of the national forests and to pretend so is fraudulent."

Comment #: Dr. Art Partridge is an expert in fire behavior. In his testimony to the US Senate he stated: "The current focus on 'fuels' is, in itself, misguided because almost anything in a forest will burn, given the right conditions." Ms. Guenther, please tell the public why you reject the opinion and conclusions of experts and instead rely on a few USFS interdisciplinary team members who are financially motivated to sell timber. Their proposal to commercially log what you refer to as "hazardous fuels" to reduce fire intensity and rate of spread is the antithesis of what "best science" recommends.

Objectives and considerations for wildland fuel treatment in forested ecosystems of the interior western United States (page 10)

By: Dr. Jack Cohen (a USFS fire physicist)

Published in Forest Ecology and Management, issue 256, 2008

<http://www.firewise.org/Information/Research-and-Guidance/WUI-Home-Ignition-Research/~media/Firewise/Files/Pdfs/Research/CohenFuelTreatment.pdf>

Excerpts:

"Treating fuels to reduce fire occurrence, fire size, or amount of burned area is ultimately both futile and counter-productive." (Pg.1999)

"Some viable fuel treatments may actually result in an increased rate of spread under many conditions (Lertzman et al., 1998; Agee et al., 2000). For example, thinning to reduce crown fire potential can result in surface litter becoming drier and more exposed to wind. It can also result in increased growth of grasses and understory shrubs which can foster a rapidly moving surface fire." (Pg.2000)

Comment #: Dr. Cohen (a USFS employee) is an expert in fire behavior. In his paper Objectives and Considerations for Wildland Fuel Treatment in Forested Ecosystems of the Interior Western United States he states: "Treating fuels to reduce fire occurrence, fire size, or amount of burned area is ultimately both futile and counter-productive." Ms. Guenther, please tell the public why you reject the opinion and conclusions of a fire physicist employed by the USFS who spent his entire career developing ways to reduce fire damage to homes in the WUI and instead rely on the IDT timber employees who are financially dependent on selling timber.

You all thought you were safe as IDT members working behind the scenes writing NEPA documents. Its time for you to be held accountable for what you are doing. The choice is clear. You can claim logging reduces fire intensity and slows the advance of fires, or you can be an honest public servant. You will also sleep better knowing you didn't spend your day lying.

At page 2 you say: "This action is needed for firefighters to work safely in the area."

Comment: Anyone who suggests fuels reduction logging is needed to allow "firefighters to work safely in the area" does not understand USFS firefighting. In your response to this comment please tell the public why cutting healthy trees to allow firefighters to work safely is different than the lunacy of tearing-down houses in the city to improve the safety for urban firefighters. Firefighting is voluntary. People who volunteer know there are risks. Removing large trees from national forest least likely to burn to improve firefighter safety is insane and you know it.

Request for changes to be made to the final NEPA document: Eliminate all text that states or infers commercial logging of merchantable sized trees will reduce fire intensity and rate of spread. Not doing so will early indicate you place your personal gain (awards and praise for volume accumulation) by reducing Dr. Cohen's methods.

Failure to do so will violate 18 USC 1519, 18 USC 1001 (a)(3), 40 CFR 1500.2(e) and (f) and

5 CFR 2635.101(b)(1) See:

<https://www.law.cornell.edu/cfr/text/5/2635.101>

The range of alternatives in the pre-decisional EA is inadequate. Of course there are "reasonable" alternatives to the Proposed Action that you conveniently overlook. Analyzing a single action alternative as has been done here is clearly intended to hardwire the selection of the Proposed Action for implementation in violation of the NEPA.

There is more than 1 way to solve even simple problems. Obviously you selected the Proposed Action for implementation before you asked the public for scoping comments. The Proposed Action is the same as it was months ago when you scoped this project. I saw this happen many times as a USFS forest planner.

I know, I know. You think it's a waste if time spending money on analyzing an alternative you have no intention of selecting. Ms. Guenther Ranger Supervisor, its time for you to take remedial NEPA training for beginners.

You present the public with an unacceptable "do it or not" scenario. You will do anything to eliminate all other action alternative competition to your precious Proposed Action you selected prior to scoping. Any rational person would agree that the citizen-generated alternatives included in the infamous USFS "Considered but not analyzed in detail" section are legitimate alternatives.

Comment: Pretending to pass a project through the NEPA process with only 1 action alternative (the Proposed Action) makes a mockery of the National Environmental Policy Act. A "do it" or "don't do it" NEPA analysis is not a NEPA analysis but a justification of the Proposed Action. There are alternatives ways to accomplish any goal.

Here's information about NEPA alternatives that comes from the Shipley Group. These NEPA experts are contracted by the USFS to teach the NEPA process to USFS employees. This guidance should be used to deal with my request to develop a "no new roads" action alternative in detail. You know there is more than 1 way to satisfy your P&N, therefore it's not unreasonable to develop a 2nd or 3rd action alternative.

"Summarize, as relevant, information from scoping (Step 4 above). In this summary, highlight decisions your team made regarding possible alternatives and potential mitigations that link to different alternatives. This information should further prove that your team was open to different alternatives, especially any that the public suggested."

"Remember not to be silent about the reasons for considering some alternatives and ignoring others. Silence is a gift to a possible plaintiff. So plan for and provide even a brief rationale about your range of alternatives. Such a discussion is especially important if your EA or EIS includes only a single action alternative. A single action alternative is a risky agency choice, especially if you determine that your EA or EIS is likely to be a high-risk and

controversial document."

Range of Reasonable Alternatives

Feature Article, November 2009

by Larry Freeman, PhD

The Shipley Group, Senior Consultant

Link: <http://www.shipleygroup.com/news/articles/0911.pdf>

Comment: Larry Freeman, the Senior Consultant for the Shipley Group that the USFS contracts to teach the NEPA process states: "A single action alternative is a risky agency choice, especially if you determine that your EA or EIS is likely to be a high-risk and controversial document." Link to Mr. Freeman's comment: <http://www.shipleygroup.com/news/articles/0911.pdf>

36 CFR 220.7(b)(2)(i) states: "When there are no unresolved conflicts concerning alternative uses of available resources (NEPA, section 102(2)(E)), the EA need only analyze the proposed action and proceed without consideration of additional alternatives." NEPA Section 102(2)(E) states "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources."

The vast majority of the scoping comments submitted by the public are critical of the project and suggest changes in the Proposed Action. Therefore to comply with NEPA you must analyze another action alternative that is more ecosystem friendly and has much less adverse natural resource impact than the Proposed Action.

Comment: Please don't ignore the Shipley Group NEPA recommendations as you prepare your final EA. The USFS spends millions of dollars to hire this company to teach agency employees how to apply the NEPA process correctly? Ms. Guenther, are your qualifications comparable to Dr. Freeman who works for the Shipley Group? They must be for you to ignore Dr. Freeman's advice that "A single action alternative is a risky agency choice, especially if you determine that your EA is likely to be a high-risk and controversial document." Link to Mr. Freeman's comment: <http://www.shipleygroup.com/news/articles/0911.pdf>

The scoping comments are highly critical of this timber sale.

Request for changes to be made to the final NEPA document: Analyze at least 1 additional action alternative in detail ... preferably an alternative suggested by the public as part of their scoping comments. Based on reading the scoping comments and your responses to these scoping comments there are clearly "unresolved conflicts."

Failure to analyze a 2nd action alternative in detail violates 40 CFR 1501.2(c), 40 CFR §1506.1 (a)(2), 40 CFR §1506.2 (e), 36 CFR 220.7(b)(2)(i), and NEPA Section 102(2)(E)

Descriptions of how logging this sale will affect climate change do not exist in the pre-decisional EA.

Comment: Ms. Guenther, you conveniently omit research that finds logging emits more CO2 than wildfire. Here's an excerpt from Oregon State University researcher Beverly Law and her colleagues' research conclusions:

"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."

Climate change is a major issue world-wide. So what do you propose to do? Make it worse by logging 2.9 square miles.

Link to research conclusions:

<https://mountainwestnews.org/harvesting-co2-2d88711b644d>

Comment #: National Geographic magazine features logging's effect in climate change. Here are excerpts from the article at the link below:

"Modern-Day Plague

Deforestation is clearing Earth's forests on a massive scale, often resulting in damage to the quality of the land. Forests still cover about 30 percent of the world's land area, but swaths half the size of England are lost each year."

"Deforestation can have a negative impact on the environment. The most dramatic impact is a loss of habitat for millions of species. Eighty percent of Earth's land animals and plants live in forests, and many cannot survive the deforestation that destroys their homes.

Deforestation also drives climate change. Forest soils are moist, but without protection from sun-blocking tree cover, they quickly dry out. Trees also help perpetuate the water cycle by returning water vapor to the atmosphere. Without trees to fill these roles, many former forest lands can quickly become barren deserts."

http://www.nationalgeographic.com/environment/global-warming/deforestation/?utm_source=NatGeocom&utm_medium=Email&utm_content=video_20170811&utm_campaign=WatchThis_PM&utm_rd=917302404

Comment: Forests are natural carbon sinks. Carbon sinks absorb carbon dioxide. Un-manipulated (unlogged) Forests reduce the concentration of greenhouse gases into the atmosphere and delay the sordid effects of climate change. Trees store carbon dioxide. When the trees are removed (logged or burned) the stored carbon dioxide is released into the atmosphere.

Here is science authored by independent scientists who unlike you, have no interest in volume:

Timber is Oregon's biggest carbon polluter

Published in High Country News, May 16, 2018

Link: https://www.hcn.org/articles/climate-change-timber-is-oregons-biggest-carbon-polluter?utm_source=wcen1&utm_medium=email

Excerpts:

"Last summer, the skies of Oregon turned a foreboding shade of gray. Forest fires up and down the state blackened forests and left people gasping for air. Politicians stumped about the need to ramp up logging to improve Oregon's air, environment and economy. The fires and heated rhetoric got Oregon State University researcher Beverly Law thinking about carbon storage and emissions from Oregon forests.

Because of the human health impacts of smoke, the conversation about pollution and forests is typically centered on fires. But the study Law and her colleagues put together earlier this year found that wildfire is not the biggest source of climate-warming carbon dioxide in Oregon forests - logging and wood products are. Figuring out the role of forests and wood in carbon pollution could have major policy implications in Oregon, as Gov. Kate Brown

has pledged to meet the emissions goals of the Paris Climate accords."

To curb climate change, we need to protect and expand US forests.

Published in Truthout, June 18, 2017

Link: <http://www.truth-out.org/news/item/40775-to-curb-climate-change-we-need-to-protect-and-expand-us-forests>

Excerpt:

"In a new report published by the nonprofit Dogwood Alliance, my co-author Danna Smith and I show that we have a major opportunity to make progress on climate change by restoring degraded US forests and soils. If we reduce logging and unsustainable uses of wood, we can increase the rate at which our forests remove carbon dioxide from the atmosphere and ensure that it will remain stored in healthy forests.

Accounting for Climate-Related Risks in Federal Forest-Management Decision

A Federal Forest Carbon Coalition Background Paper, 2015

Link:

http://a123.g.akamai.net/7/123/11558/abc123/forestservic.download.akamai.com/11558/www/nepa/95412_FSPL_T3_2571365.pdf

Excerpt:

"The value of carbon storage in uncut forests "Outweigh the additional timber-related benefits by more than 30-to-1. The value of this carbon storage is equal \$1.6 million per additional timber-related job." (page 1)

"Actions that reduce the amount of carbon stored in federal forests contribute to disruption of the global climate by increasing atmospheric concentrations of carbon dioxide. The climate disruption raises the risk of economic harm-locally, nationally, and globally-from extreme weather events, higher temperatures, changes in precipitation, rising sea levels, acidification of oceans, and changes in ecosystems. Laws and executive orders require managers of federal forests to account for these risks." (page 2)

"The Bureau of Land Management, U.S. Forest Service, and other federal forest-management agencies have legal and administrative obligations to account for and clearly disclose the climate-related risks of the timber-harvest and other activities that reduce the amount of carbon stored on their lands. These obligations will become more imperative as human-caused disruption of the climate becomes more severe and the likelihood of catastrophic outcomes increases." (page 6)

Deforestation and climate change

Published by Greenpeace

Link: <http://www.greenpeace.org.uk/forests/climate-change>

Excerpts:

"Mature forests store enormous quantities of carbon, both in the trees and vegetation itself and within the soil in the form of decaying plant matter. Forests in areas such as the Congo and the Amazon represent some of the world's largest carbon stores on land.

But when forests are logged or burnt, that carbon is released into the atmosphere, increasing the amount of carbon dioxide and other greenhouse gases and accelerating the rate of climate change. So much carbon is released that they contribute up to one-fifth of global man-made emissions, more than the world's entire transport sector."

Forest fuel reduction alters fire severity and long-term carbon storage in three Pacific Northwest ecosystems.
Published by Ecological Applications. 19(3), 2009, pp. 643-
Mitchell, Stephen Ph.D., Harmon, Mark Ph.D. and O'Connell, Kari Ph.D.
Link: <http://onlinelibrary.wiley.com/doi/10.1890/08-0501.1/abstract>

Abstract

"However, reducing the fraction by which C is lost in a wildfire requires the removal of a much greater amount of C, since most of the C stored in forest biomass (stem wood, branches, coarse woody debris) remains unconsumed even by high-severity wildfires. For this reason, all of the fuel reduction treatments simulated for the west Cascades and Coast Range ecosystems as well as most of the treatments simulated for the east Cascades resulted in a reduced mean stand C storage."

Trees Are Our Climate Saviors - So Stop Logging on Public Land

By Ellen Moyer, Ph.D.

Published in The Huffington Post, April 14, 2014

Link: http://www.huffingtonpost.com/ellen-moyer-phd/trees-are-our-climate-logging_b_4775894.html

Excerpts:

"President Obama could combine his aspirations for climate protection and land protection by stopping commercial logging on federal lands so forests can capture more carbon dioxide from the atmosphere. He could challenge state and local governments to follow suit."

"Photosynthesis is one of only two significant mechanisms for removing carbon dioxide from the atmosphere (the other being dissolution into water, leading to destructive ocean acidification). Carbon dioxide is released when trees are cut down, and deforestation accounts for at least 15 percent of global carbon emissions. Thus, cutting down trees is a double-whammy because we not only lose carbon capture capacity, but we release more carbon, too."

"Large amounts of carbon are stored in the living wood and the soil of old forests. Forests left undisturbed for 1,000 years or more continue to suck carbon into the soil. Recent studies show that Northern Hemisphere forests capture large amounts of carbon dioxide from the atmosphere. Forests in the United States sequester 10 percent of the total annual United States carbon dioxide emissions from burning fossil fuels. Uncut forests store more carbon than do forests that are logged, and the loss of carbon is proportional to the extent of harvesting. Over two-thirds of the total carbon in forest ecosystems is stored in forest soil, and significant release of soil carbon occurs from logging."

"Trees are our climate saviors, and it takes decades or centuries - time we don't have - to recover from the mistake of cutting them down."

"We need all levels of government to start preserving forests - and fast. In addition to switching from dirty to clean energy, President Obama should halt commercial logging on federal lands, eliminate biomass power plant subsidies that drive forest destruction, and permanently protect forests for carbon capture (in addition to forests' many other public benefits)."

Comment #: Dr. Moyer's article stressing the fact that live trees capture the greenhouse gas carbon published in the Huffington Post in 2014 states:

"Trees are our climate saviors, and it takes decades or centuries - time we don't have - to recover from the

mistake of cutting them down."

"Photosynthesis is one of only two significant mechanisms for removing carbon dioxide from the atmosphere."

"Uncut forests store more carbon than do forests that are logged, and the loss of carbon is proportional to the extent of harvesting. Over two-thirds of the total carbon in forest ecosystems is stored in forest soil, and significant release of soil carbon occurs from logging."

Link: http://www.huffingtonpost.com/ellen-moyer-phd/trees-are-our-climate-logging_b_4775894.html

Ms. Guenther you clearly believe the trees in the Umatilla National Forest don't Photosynthesize or Dr. Moyer doesn't know what she's talking about. Which is it?

Effects of fuel treatments on carbon-disturbance relationships in forests of the northern Rocky Mountains

Published in Forest Ecology and Management 259 (2010)

By Reinhardt, Elizabeth, and Holsinger, Lisa

Link: <https://naldc.nal.usda.gov/download/39942/PDF>

Excerpt:

"Although wildfire emissions were reduced by fuel treatment, the fuel treatments themselves produced [carbon] emissions, and the untreated stands stored more carbon than the treated stands even after wildfire. ... Our results show generally long recovery times."

How State and private forest practices are subverting Oregon's climate agenda

Published by

By John Talberth

Link: <http://sustainable-economy.org/how-industrial-forest-practices-are-subverting-oregons-climate-agenda/>

Excerpt:

"These emissions are four to seven times higher those associated with coal combustion by the Boardman coal-fired plant in 2012, are equivalent to 2-4 million new cars on the road, and make logging on State and private lands one of Oregon's biggest GHG polluters and a major impediment to Oregon's ambitious GHG reduction targets."

There are many, many more scientific references that describe how logging increases CO2 in the atmosphere available on request. You are probably a climate change denier, nevertheless you are legally required to address it.

Request for changes to be made to the final NEPA document: Include an accurate, truthful discussion of the direct and indirect effects of how logging this sale will affect greenhouse gases. Also include the best science documents shown above in your Reference section and cite them in the text.

Failure to do so violates:

1) Climate Change Considerations in Project Level NEPA Analysis (Washington Office Memo January 13, 2009);

2) Executive Order 13514 of October 5, 2009; and

3) The National Environmental Policy Act. NEPA states that all Federal agencies "to the fullest extent possible" must provide a detailed environmental impact statement (EIS) (42 U.S.C. 4332). Neither Congress nor the courts have indicated precisely how much detail an EIS must contain. However, courts consistently have held that, at a minimum, NEPA imposes a duty on Federal agencies to take a "hard look at environmental consequences" (Natural Resources Defense Council v. Morton, 458 F.2d 827, 838 (D.C. Cir., 1972).

The Proposed Action will clearly cause the resource degradation and destruction described in the OPPOSING VIEWS SCIENCE ATTACHMENTS to these comments.

The vast majority of scientific logging-related effects literature is authored by independent scientists not affiliated with the USDA. These independent scientists describe how logging activities will damage, impair and sometimes destroy the proper functioning of numerous natural resources.

You can learn about the logging-related resource damage in Opposing Views Attachment #1.

Comment: The public does not want natural resources in their public land that will be inherited by future generations to be destroyed in order to provide corporate profit opportunities. Opposing Views Science Attachment #10 gives you the results of 16 statistically significant nationwide polls revealing the public's feelings about national forest logging. Depending on the poll between 63% and 81% didn't want logging. You propose to log **** square miles. How can you justify calling yourself a public servant? In reality you are serving your corporate masters.

Professionals (whether they be scientists or public land administrators) do not selectively choose literature citations that will support their case and systematically exclude those that don't.

Request for changes to be made to the final NEPA document: Include some source documents from the Opposing Views Science Attachments in the References/Literature Cited section, and also, cite the applicable specific quotes presented in the Opposing Views Science Attachments.

Failure to do so will violate 40 CFR 1500.1(b) and (c) and 40 CFR 1500.2(e) and (f)

The pre-decisional EA does not discuss how the timber sale's logging and slash/RX burning activities will be mitigated to assure protected migratory bird species' individuals and their habitat are not harmed in any way.

Comment: Paula, at page 58 you say:

"The proposed action is consistent with the 1918 Migratory Bird Treaty Act (MBTA) and the Migratory Bird Executive Order 13186. Species of concern and MIS bird species were considered for effects disclosures. Project design criteria such as retention of adequate snags and down logs, retention of live trees, and limited treatment in riparian areas proposed in this project will minimize take of migratory birds and meet the intent of current management direction."

You fail to identify the bird species that are present in the sale area that are protected under the Act.

Comment: At page 5 your Proposed Action says you will implement "landscape burning." Your design criteria says you will protect the birds by retaining adequate snags and down logs, retaining live trees, and limiting treatment in riparian areas

It is not only possible but highly likely that that "landscape burning" will harm the habitat and/or kill individual birds. This is especially true of young birds that cannot flee the danger: The Treaty requires the NEPA document to include information showing why the following damage will not occur. The plaintiffs' attorney will

expect the NEPA document to contain specific action that will be taken to prevent:

"harm the birds with logging-related pollution",
"detrimentally alter the bird's habitat",
"environmentally degrade the area surrounding the bird's habitat", and
"kill bird chicks by destroying their nests or eggs".

Note: The 4 quotes above come directly from the Act.

The Willoughby draft EA doesn't come close to complying with the Act.

Comment: You say applying the design criteria you will minimize the take of birds protected under the Act. The Act does not allow any take.

As you can see at the link below, the Migratory Bird Treaty Act is a major issue with the National Audubon Society. On May 24, 2018 the Society filed Audubon v. Dept of the Interior. Unless the final NEPA document clearly complies with mandate of the Act this comment concerning the MBTA and instructions on how to access your EA and draft decision will be sent to the Society in Washington DC. You sir might be infamous. There's a good chance you will be responsible for Audubon v. USDA.

<https://unicourt.com/case/pc-db1-national-audubon-society-et-al-v-united-states-department-of-the-interior-et-al-769049>

Request for changes to be made to the final NEPA document: Identify the birds that exist in and near the project area that are protected under the Migratory Bird Treaty Act and discuss how these birds will be protected during burning and timber harvest operations. The Act makes no allowance to consciously harm these birds for any reason.

Failure to do so will violate the Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-712; Ch. 128; July 13, 1918; 40 Stat. 755) as amended by: Chapter 634; June 20, 1936; 49 Stat. 1556; P.L. 86-732; September 8, 1960; 74 Stat. 866; P.L. 90-578; October 17, 1968; 82 Stat. 1118; P.L. 91-135; December 5, 1969; 83 Stat. 282; P.L. 93-300; June 1, 1974; 88 Stat. 190; P.L. 95-616; November 8, 1978; 92 Stat. 3111; P.L. 99-645; November 10, 1986; 100 Stat. 3590 and P.L. 105-312; October 30, 1998; 112 Stat. 2956)

Violating an international Treaty isn't trivial.

Please respond to all quotes that express opposing views contained in the Opposing Views Attachments.

I have included 5 Opposing Views Attachments with these comments. Please comply with the law by responding to each responsible opposing view quote contained in the Opposing Views Attachments.

Request for changes to be made to the final NEPA document: Comply with the request described above.

Failure to do so will violate 40 CFR 1502.9(b).

"(b) Final environmental impact statements shall respond to comments as required in Part 1503 of this chapter. The agency shall discuss at appropriate points in the final statement any responsible opposing view which was not adequately discussed in the draft statement and shall indicate the agency's response to the issues raised."

Comment: As you can see above, 40 CFR 1502.9(b) requires meaningful responses to all "responsible" opposing

views. If the Responsible Official feels the opposing view is irresponsible then please describe why. The law does not exclude opposing views because of the source. Opposing views contained in newspapers, magazines, and other sources are still opposing views and require a response. Please do not conclude an opposing view is not responsible because they are opinions. "Viewpoint" and "opinion" are synonyms.

Comment: Please do not conclude that an opposing view is not "responsible" because they come from a document that has not been peer reviewed. 40 CFR 1502.9(b) does not require them to come from peer-reviewed literature. Remember, Responsible Officials have the option of not responding to an Opposing View only if they are irresponsible.

Comment: Please do not conclude that an opposing view is not "responsible" because they are not site-specific. A review of the References section of this draft EA reveals none of the 72 documents included in the References section of the Willoughby timber sale draft EA mentions the name of the project. Thus, none of your references are site specific. Ms. Guenther and Ms. Taylor, you cannot justify using a standard for the public and another less-restrictive standard for the USFS. What will the judge say?

Remember, Responsible Officials have the option of not responding to an Opposing View only if the viewpoint is irresponsible and you describe why it's irresponsible. The law does not exempt responsible opposing views that are "opinion pieces." Indeed, "viewpoint" and "opinion" are synonyms. You must reply to all viewpoints that are not irresponsible. Once again, how would a judge interpret the law?

You have Presented the Public with a Purpose & Need that Proves Volume Accumulation has more importance than People's Lives

You describe the reason for this timber sale at page 2:

1.2 Purpose and Need for the Proposal

In order for firefighters to work safely in the area and increase the probability of protecting life and property, there is a need to:

- *Reduce fuels in the forested lands to decrease potential flame lengths; longer flame lengths increase the likelihood of crown fires.
- *Treat surface fuels to reduce potential flame lengths to less than 4 feet, which is the threshold for direct attack by firefighters using hand tools.
- *Reduce and thin surface, ladder, and crown fuels to reduce the probability of surface fire transitioning to crown fire and generating embers that can drift, land and ignite spot fires.
- *Treat crown fuels to reduce the potential for spread of fire through the crowns once fire reaches the crowns from the surface.

Why am I not surprised that each proposed action listed above requires commercial logging? Of course this generates precious volume doesn't it?.

Whenever the USFS proposes to take action to reduce the probability that homes and lives might be lost in the WUI should a wildfire occur, competent, caring, compassionate USFS line-officers always (emphasis added) compose their WUI Purpose & need statement in such a way that opens the door to any and all actions that might reduce the fire damage to homes in the WUI. This might include logging.

Here's an example of a P&N statement I copied from a timber sale near WUI on a California national forest: "reduce the chance that homes will burn in the WUI should a wildfire start in the area." This would require you to include all actions in the Proposed Action that will "reduce the chance that homes will burn in the WUI should a

wildfire start in the area." Logging must be one of the Proposed Actions in the Action alternative analyzed in detail ... not the reason for the timber sale sale.

Request for changes to be made to the final NEPA document: Assure the Purpose & Need states this: "reduce the chance that homes will burn in the WUI should a wildfire start in the area" rather than reduce fuels. Reducing fuels is an alternative and should never be part of the P&N. This would require you to include other effective fire risk reduction methods in the Proposed Action besides fuels reduction.

This issue is too serious to sweep under the rug.

Not doing so will violate: 40 CFR 1500.2(e) and (f), NEPA Sec. 101(b)(2), NEPA Sec. 101(c) and Ex. Ord. No. 13045, Apr. 21, 1997 [section 1-101(a)]

The draft FONSI will violate 40 CFR §1508.27(b)(2)

My Pending Objection

The public is now starting to realize the Objection process is a joke. Sadly, most USFS employees believe the agency can do no wrong. The English language has a word to describe this "Pollyanna." Webster defines it as "a person characterized by irrepressible optimism and a tendency to find good in everything."

Intelligent, unbiased, un-brainwashed people understand that the Objection Deciding Officer must be an unbiased 3rd party with no interest in whether a project is implemented or not. The USFS rigged the Appeal process against concerned members of the public and the same is happening with the Objection process. They assure the ADO is a USFS employee who will claim anything to avoid the appearance that another USFS employee has made an error.

I know that you know my objection will be rejected by the Objection Deciding Officer before he/she reads my objection.

I know that you know the agency treats objections fairly and professionally only if they are filed by groups or individuals who have a history of taking the USFS to court. My motivation for writing these comments is to identify how unprofessional, naive and clueless you all are. For those of you who know what's going on and still press on because your job pays well, I hope the guilt sneaks upon you later in life. Generations of the future will want to know who was responsible for the development and plunder of their public land. Wanna see plunder? Take another look at photos of USFS "restoration" projects by opening the Opposing Views Science Attachment #27.

Sincerely,

Dick Artley's scanned signature is contained in the "signature" attachment.

Dick Artley (retired forester, logging engineer and forest planner - Nez Perce National Forest ... and someone who is sad his great, great, great grandchildren will not have the opportunity to explore and enjoy undeveloped national forest land.

415 NE 2nd Street
Grangeville, Idaho 83530
da99333@gmail.com

CC to Ranger Brammer and selected forest staff

Also copies will be emailed to:
National Forest Protection Alliance
Western Environmental Law Center
Grist Magazine
Truthout Website
Native Forest Council
Common Cause Website
High Country News

The American public needs to know that the line-officers on the Umatilla NF are trashing the land that will be inherited by future generations of kids to provide corporate profit opportunities to increase their promotion potential.