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First name: Dawn

Last name: Lipton

Organization:

Title:

Comments:

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Eldorado National Forest, Attn: MAC Project

100 Forni Road

Placerville, CA 95667

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<https://cara.fs2c.usda.gov/Public/CommentInput?project=65796>

Re: Comments on the Draft Environmental Impact Statement for the Mokelumne Amador Calaveras Forest Resilience Project (<https://www.fs.usda.gov/project/?project=65796>)

To Whom it May Concern

Enclosed please find comments on the Mokelumne Amador Calaveras Forest Health and Resilience Project (" MA C ") Draft Environmental Impact Statement (DEIS). The Project is being proposed as a Project-Specific Forest Plan Amendment (" PS FPA "), which appears to be the Forest Service 's current approach to approving forest fuel reduction projects in the Sierra Nevada. The PSFPA approach is intended to allow more aggressive logging and fuel reduction treatments than are currently allowed by the 2004 Sierra Nevada Forest Plan Amendment (" 2004 S N FPA ") .

The Project proposes treatments on approximately 140,000 acres of forest occurring in the Mokelumne River watershed, with the North Fork Mokelumne River flowing east to west through the approximate center of the MAC Project area. These include 66,771 acres of forest 'thinning, ' 50,532 acres of fuel reduction and 23,414 acres of fuel breaks. The Project proposes considerable logging within California spotted owl (" CS O ") Protected Activity Centers (" PA Cs ") and Territories and will render thousands of acres in these sensitive and valuable habitat areas unsuitable for CSO. As discussed below, due to such a large and potentially harmful treatment prescription, I have several concerns about the MAC project and, in general, about the ability of the Forest Service to assess impacts to the California spotted owl when using PSFPAs such as this.

I have extensive experience evaluating logging impacts on CSO. I was the Forest Biologist on the Eldorado National Forest between 1988 and 2016. In 1993 I authored Interim Guidelines for management of the CASO on Sierra Nevada National Forests, based upon the findings of " The California Spotted Owl: a Technical Assessment of Its Current Status, [PSW-GTR133]. I was involved in the development of the standards and guidelines contained in the 2001 Sierra Nevada Forest Plan Amendment and in the 2004 Supplemental Forest Plan Amendment, which were designed to reduce the risk of habitat loss from catastrophic wildfires through logging, mechanical thinning, and prescribed burning while protecting the CSO across its range in the Sierra Nevada. As a Forest Biologist on the Eldorado National Forest for 28 years I was responsible for evaluating spotted ow habitat, assessing territory occupancy, and working with researchers and species experts to evaluate risks to CSO viability associated with implementing numerous logging, forest health and fuels reduction projects in spotted owl habitat.

1. The Project-Specific Forest Plan Amendment Approach does not Evaluate the Loss and Fragmentation of CSO Habitat and Associated Cumulative Impacts at the Proper Scale.

By using a Project-Specific Forest Plan Amendment, the Project is allowed to implement treatment levels of CSO habitat that are considerably less protective than the regional standards established by the 2004 SNFPA. DEIS states that there will be a loss of 37,071 acres of suitable CSO habitat across the planning area, which includes a loss of 3,957 acres of suitable habitat in CSO PACs and 9,438 acres of suitable

habitat in CSO territories, and a loss of 9,845 acres of high-quality nesting and roosting habitat overall. (See DEIS, Table 16). The DEIS states that the Project will treat 66,881 acres of suitable habitat and render 55% of that habitat (37,071 acres) unsuitable. The DEIS states that there are 154,800 acres of suitable habitat in the 246,000-acre project area, 24% of which will become unsuitable due to the Project.

The magnitude of habitat removal within the project area is substantial, posing a concern for population decline within the 246,000-acre project area. The DEIS fails to analyze the effects of this habitat loss upon the current CSO population and fails to consider this impact in relation to the scale of habitat already lost from wildfires and projects occurring adjacent to the project area. The DEIS fails to take a hard look at the significance of impacts on the California spotted owl's current decline.

I was involved in the early survey efforts for the CSO in the Sierra Nevada, which led to the California Spotted Owl Technical Assessment, USDA Forest Service Gen. Tech. Rep. PSW-GTR-133. 1992 ("CASPO Report"). Utilizing the CASPO Report, I worked with ID team members to develop Interim Guidelines for management of the CASPO in 1993, and the eventual development of the CSO guidelines adopted in the 2001 and 2004 Sierra Nevada Forest Plan Amendments.

At the time the CASPO Report was written, CSO were generally understood to be relatively evenly distributed in the Sierra Nevada, particularly in the mixed conifer west-side forests such as occurs in the Project. A primary concern of the scientists at that time was the existence of a number of "Areas of Concern" within the range of CSO. Such areas were described as including "bottlenecks in the distribution of habitat or owl populations, gaps in the known distribution of owls, locally isolated populations, fragmented habitats, and areas with low densities of owls." See CASPO Report, p. 5. Such conditions make successful dispersal of CSO more difficult and reduces the likelihood of quick replacement of owls in vacated habitat, thereby increasing the potential for gaps in distribution that limit population interaction and reduce the likelihood of long-term persistence of the CSO.

It was recognized that management of CSO viability required forest planning at a range-wide scale, which led to the amendment of the Sierra Nevada forest plans in 2001 and again in 2004. The SNFPAs addressed threats to CSO, including the fragmentation of suitable habitat across the species range in the Sierra Nevada, by adopting management standards and through population and habitat monitoring across the range to enable the tracking of status and trend. The Framework also adopted a substantive standard that limited the number of acres that could be treated in a single year and within a decade in CSO PACs across all Sierra Nevada national forests. (See 2004 Framework, S&G 80). Through this approach the Framework was designed to reduce the risk of habitat loss from catastrophic wildfires by allowing vegetation treatments and prescribed fire and at the same time conducting the monitoring necessary to adaptively ensure the project treatments themselves were not endangering continued viability of the CSO.

Providing habitat to maintain existing owl territories and avoid the creation of gaps in CSO distribution has been an important objective of range-wide CSO guidelines. As habitat is reduced and becomes

fragmented, territories become unoccupied and spotted owl densities decline. This impacts the ability of owls to find replacement habitat and mates, leading to population decline. In fact, the 1992 CASPO Report examined a prior management approach of relying on Spotted Owl Habitat Areas ("SOHA ") . The CASPO Report found that a "SOHA strategy had an unacceptably low likelihood of maintaining the owl population over the next 50 to 100 years "and that such "strategy, culminating in a network of small, relatively isolated 'islands' of older forest suitable for breeding by spotted owls and separated by a ' sea ' of younger, less suitable or unsuitable habitat, [was] not a workable strategy to assure long-term maintenance of spotted owls." I am concerned that the MAC project, combined with adjacent SNFPA projects and adjacent wildfire impacts, may create the very conditions that researchers cited as problematic under the prior SOHA strategy.

The current precarious status of the CSO warrants a serious look at cumulative effects associated with habitat loss and fragmentation in this project, combined with other PSFPA projects that deviate from the more protective standards contained in the Framework. The DEIS states that the Project will render over 37,000 acres of CSO habitat unsuitable, approximately a quarter of all suitable habitat in the planning, but does not address how this loss of habitat may create gaps between habitat blocks fragmented by this Project, other adjacent fuel projects such as the SERAL I and II projects approved that will render over 72,000 acres of habitat unsuitable for CSO and which are directly adjacent to the Project area. In addition, the Caldor Fire burned approximately 80,000 acres at high severity, which has contributed to loss of suitable CSO habitat adjacent to the project area. These cumulative impacts - logging creating over 100,000 acres of unsuitable habitat for CSO, combined with the loss of territories and PACs due to the Caldor and other recent fires - will result in a decline in CSO territories across a large geographic region, leaving small, isolated islands of suitable habitat that may no longer support CSO and may augment the conditions noted as geographic "a re a s o f c o n c e r n" for the CSO in the CASPO report.

It appears that the cumulative effects of the planned logging treatments, adjacent wildfires acreages, and additional projects deviating from Standards and Guidelines through PSFPAs (Seral I and II), will result in a landscape containing fewer and smaller, relatively isolated islands of older forest suitable for breeding by spotted owls, which are separated by large landscape areas of unsuitable habitat: the very concerns raised by spotted owl scientists in the 1992 CASPO report. This concern has not been addressed in the DEIS. The cumulative decline of habitat and CSO territories associated with this project, combined with declines associated with the Caldor Fire and the SERAL I and II projects, have not been disclosed in the DEIS.

I also note that the DEIS does not provide regional population monitoring for CSO, relying on 2010 data which predates considerable changes in owl demography due to logging and fires that have occurred in the last 15 years. Without any knowledge of how owl populations are doing in the region, the Forest Service lacks sufficient information to assume that a further loss of over 100,000 acres of suitable CSO habitat, in combination with recent fires that have occurred, will not have a significant impact and threaten the viability of CSO. This is concerning given the 2023 proposal by the US Fish and Wildlife Service to list the CSO as Threatened under the Endangered Species Act.

2. The Project's Treatment in CSO PACs is not Being Adequately Addressed.

The Project proposes considerable treatment in PACs, well above what would be allowed under the 2004 SNFPA. The DEIS states that almost 4,000 acres of habitat in PACs will be rendered unsuitable, primarily due to the reduction in canopy cover to below 40 percent. Since 1993, spotted owl PAC areas have been an essential element of the Forest Service's management strategy for maintaining CSO

population viability. Under the SNFPA, the intent of these areas is to

continue to provide habitat conditions that support CSO nesting. This requires large old trees, a cool, stable microclimate, and protection from predators. The SNFPA described these habitat conditions as high canopy cover (60-70 percent), trees often greater than 24-45 inches dbh, and a complex multi-layered canopy. As described in the DEIS, the logging being proposed in PACs will not maintain these conditions. However, the DEIS fails to disclose the likelihood that nesting spotted owls will abandon these treated PACs and the subsequent impact to CSO population viability. This large deviation from the 2004 SNFPA guidelines requires a close look which is absent from the DEIS.

The Framework recognized that there may be situations where it is necessary or beneficial to carefully treat within PACs to reduce their risk of loss to wildfire. Standard and Guideline (S&G) 80 in the 2004

Sierra Nevada Forest Plan Amendment, describes a limited approach for doing so. The S&G established a limit of treating 10 percent of the habitat within PACs per decade across the 11 Sierra Nevada Forests. The DEIS does not disclose the total PAC acreages treated on the 11 Sierra Nevada Forests, and whether this limitation has been exceeded by the project. This limit was established with the awareness that degradation of habitat in the PAC may result in territory abandonment or declines in reproductive output. The threshold for habitat alterations that will have such effects is uncertain and is likely to be territory specific. For this reason, the measured and monitored approach outlined in S&G 80 was adopted and in my opinion is critical for a management approach likely to provide for viability of CSO.

In addition, S&G 71 states that when treatment areas must intersect PACs and choices can be made about which PACs to enter, the following criteria should be used to preferentially avoid PACs that have the highest likely contribution to owl productivity.

1. lowest contribution to productivity: PACs presently unoccupied and historically occupied by territorial singles only.
2. PACs presently unoccupied and historically occupied by pairs,
3. PACs presently occupied by territorial singles,
4. PACs presently occupied by pairs,
5. highest contribution to productivity: PACs currently or historically reproductive.

The DEIS does not analyze these criteria for PAC treatments, again increasing the likelihood that the proposed treatments may have significant impacts on CSO and impact its precarious population status. Maintaining specific CSO territories that have recently been reproductive is especially critical to persistence of the species within the project area. The MAC DEIS does not describe recent surveys of CSO that would provide this information yet locates intensive treatments in numerous PACs. By failing to take a hard look at current CSO occupancy and status in the project area, it puts owl territories at risk.

Typical nesting habitat characteristics include large old trees, high canopy cover, and a complex, multi-storied structure with trees of various sizes and heights. This canopy cover and layering is critical for regulating owl's body temperature during hot summer months and helping spotted owls avoid predators like great horned owls. The multi-storied structure provides ideal conditions for the owl's perch and pounce foraging strategy. The treatments proposed in PACs do not appear designed to maintain these important characteristics. The PAC provides a portion of the habitat needed to support a CSO territory, and the abundance of this suitable nesting habitat is limited across the landscape. The DEIS acknowledges removal of almost 4,000 acres of this habitat, with no indication as to whether habitat alteration at this scale and intensity will support continued occupancy and reproductive success in spotted owl territories.

3. The PSFPA Approach is not Considering the Demographic Decline of CSO at the Regional Scale.

Recent demographic studies show that the Sierra Nevada populations of CSO have declined by 30% to 50% over the last 20 years. In 2023, the USFWS found that the Sierra Nevada CSO distinct population segment was eligible for listing as Threatened under the Endangered Species Act. The USFWS findings state that there is a probability that CSO could become endangered in the near future.

In my opinion, increasing treatments in CSO habitat under the PSFPA approach without a bioregional consideration and in the absence of population monitoring poses a substantial risk for the CSO. A substantial problem with the DEIS is that it assumes that loss of CSO habitat is warranted due to the countervailing risk posed by future fires. The DEIS appears to assume that the potential for future fires justifies the increased risk to owl viability created by the project's large-scale reduction of habitat affecting numerous spotted owl territories. The DEIS fails to analyze whether a lower intensity and

magnitude of treatments, particularly within the very limited high value habitats that occur within PACs, would reduce future wildfire risk. Prescribed burning and thinning of smaller diameter trees in PACs are encouraged in the 2004 SNFPA for this purpose. The 2004 SNFPA was developed with an intent to reduce wildfire risk and implement guidelines that were expected to maintain spotted owl persistence. The need to ignore these guidelines in the MAC project area remains unclear; it is especially problematic given the precarious population status of the CSO determined by the US Fish and Wildlife Service.

In my opinion, the continuing decline of CSO populations at the regional scale warrants a more careful approach to forest management in CSO habitats. The S&Gs and limits imposed by the 2004 SNFPA were designed as "saf e ty va lue s" to ensure that while the Forest Service increased the pace of fuels reduction to prevent high intensity wildfires, they did not inadvertently degrade a significant portion of CSO habitat through forest thinning operations. In my opinion, the MAC project threatens the long-term persistence of spotted owls in this landscape. A more thoughtful and cautious approach to California spotted owl management is needed at a time when their population decline across the Sierra Nevada is well-documented.

Thank you for considering my comments.

Sincerely,

Dawn Lipton
Retired Forest Service Wildlife Biologist