



Main: 4506 SE Belmont Street, Suite 230A, Portland, OR 97215 • 2700 E Evergreen Boulevard, Vancouver, WA 98661
(503) 222-0055 • www.gptaskforce.org

December 18, 2015

Mosé Jones-Yellin
Mt. Adams District Ranger
2455 Highway 141
Trout Lake, WA 98650

RE: Cougar Creek Salvage Scoping

Dear Mr. Jones-Yellin:

Thank you for the opportunity to comment on the proposed Cougar Creek salvage project. The Gifford Pinchot Task Force's (Task Force) mission is to protect and sustain the forests, streams, wildlife, and communities in the heart of the Cascades through conservation, education, and advocacy. We represent 6,000 members and supporters who share our vision of conserving and restoring healthy aquatic and terrestrial ecosystems throughout the forest.

The Task Force is concerned with the process by which this project is being undertaken and does not believe that salvage logging is the best approach to achieve desired future conditions for this area. While we appreciate that no aquatic features or Riparian Reserves were included in the project area, we are very concerned about the impacts of this project on northern spotted owl (NSO) populations and their habitat, especially considering similar salvage projects occurring or proposed on neighboring Yakama Nation and state lands. We are also very concerned about the impacts of mechanized salvage logging and associated road building on soil and vegetative health in a project area has already been negatively impacted by livestock grazing and recent firefighting.

As we will explain in further detail below, the Task Force believes that extraordinary circumstances and cumulative impacts preclude the use of a CE for this project, and that a National Environmental Policy Act (NEPA) analysis is warranted. We suggest that the Forest Service develop an environmental assessment (EA) or environmental impact statement (EIS) to avoid legal violations. We also recommend that the agency refrain from salvage logging and instead focus on hand planting and seeding native species as the only post-fire action.

I. There are extraordinary circumstances precluding the use of a categorical exclusion.

According to 36 CFR § 220.6(a), "[a] proposed action may be categorically excluded from further analysis and documentation in an EIS or EA only if there are no extraordinary

circumstances related to the proposed action....” 36 CFR § 220.6(a). One of the resource conditions that must be considered in determining whether extraordinary circumstances exist is the presence of threatened or endangered species or designated critical habitat. See Id. § 220.6(b). However, mere presence of the species does not preclude a CE; rather, it is the degree of “the cause-effect relationship between a proposed action and the potential effect on these resource conditions.” See Id. § 220.6(b).

The Cougar Creek project area is located within NSO critical habitat. Proposed salvage units 2 and 5 are located within a 0.7 mile NSO historic activity center and there are two additional historic activity centers just south and west of the units. Basically, the entire project area is within and surrounded by historic nest sites. The scoping notice acknowledges the historic presence of NSO in this area, but seems to write off presence based on claims that “the forest has been degraded by insects and disease, and non-native barred owls (*Strix viaria*) have moved into the area.” Cougar Creek Salvage scoping notice, p. 1. The notice states, “It is unknown if northern spotted owls occupied the area before the fire or have persisted since the fire.” Id.

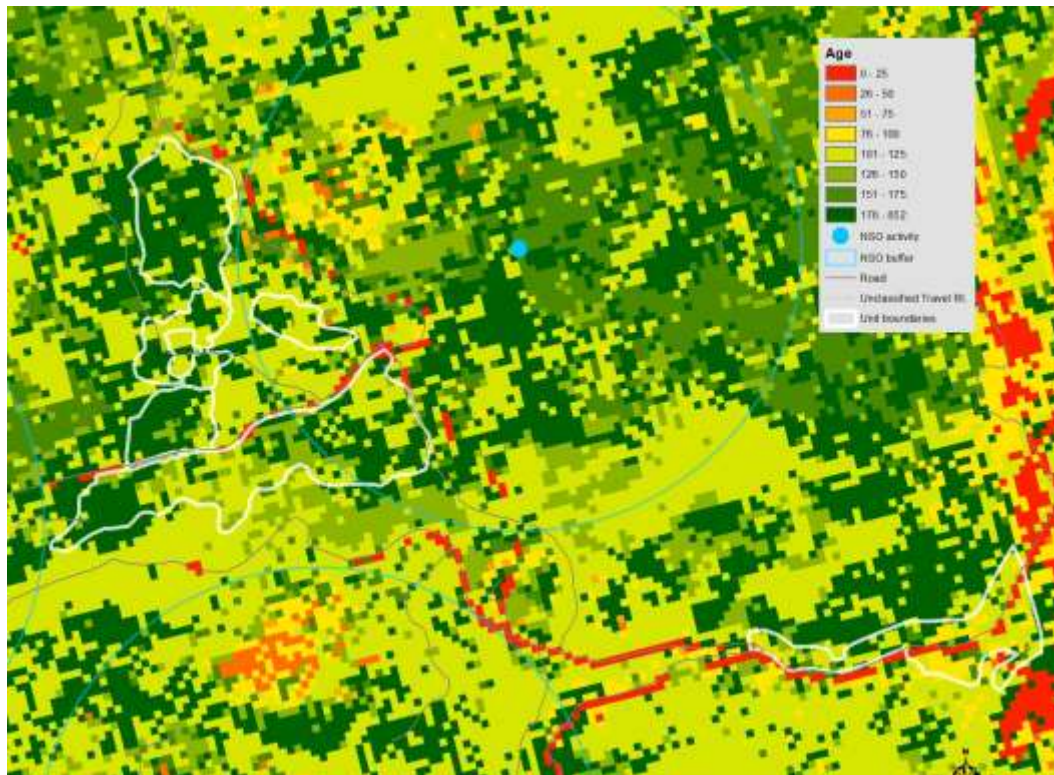
The Forest Service has not monitored for NSO within the project area for many years. If monitoring is not completed, the Forest Service must assume NSO presence. Further, there have been an increasing number of studies showing NSO use of burned areas post-fire. Bond et al. (2009) found that spotted owls use burned forests of all severities for foraging, as burned areas provide good prey habitat. In addition, in a 2008 study of NSO after the Biscuit, Quartz and Timbered Rock wildfires in Southwestern Oregon, researchers found that “[o]wls were observed nesting, roosting and foraging within a wide range of habitats and fire severity—including patches that burned with high-severity.” See https://www.firescience.gov/projects/briefs/04-2-1-52_FSBrief15.pdf.

Although overall occupancy dropped following all three fires, results indicate that spotted owls continue to occupy areas burned with low- to moderate-severity, as well as areas that partially burned with high-severity. Owls utilized areas near edges (the interface of green and dead trees) suggesting that habitat created by mixed-severity fire mosaics provide benefits to spotted owls in this forest type. Id.

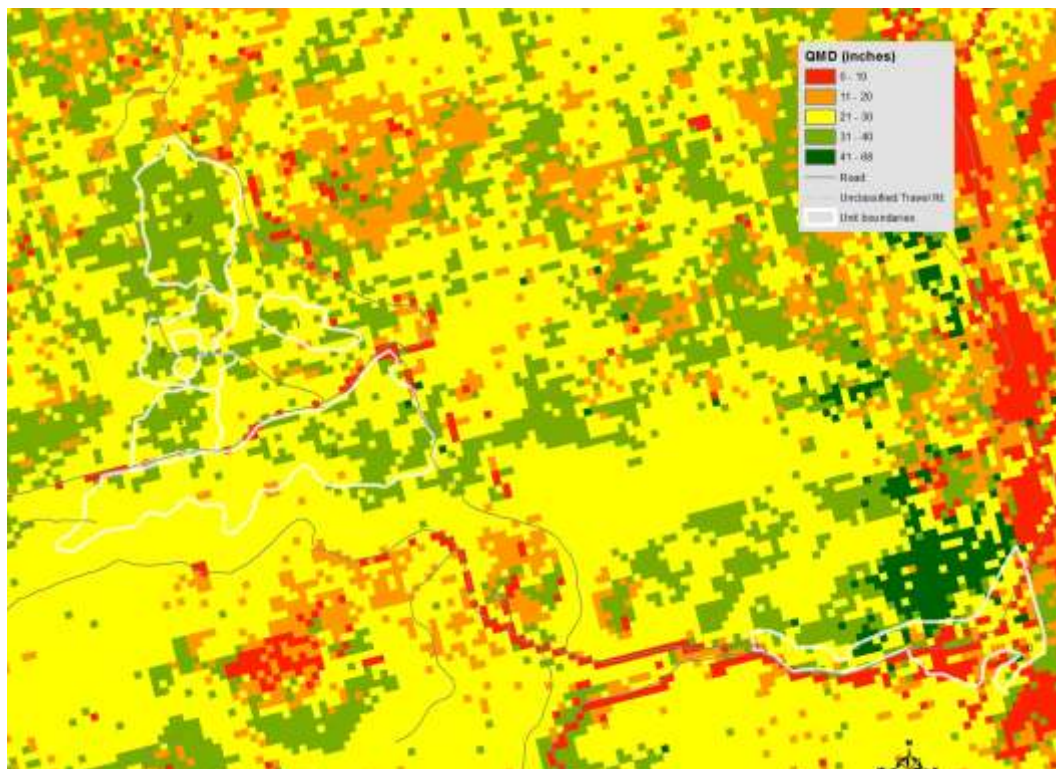
See also Andrews, S. and R.G. Anthony, “Winter Habitat Use by Spotted Owls on Bureau of Land Management Within the Boundaries of the Timbered Rock Fire,” December 2004, Oregon Cooperative Fish and Wildlife Research Unit (owls studied after the Timbered Rock fire made substantial use of the recently-burned forests with 23.9% of owl locations in forests classified as moderately-severe burns and 19.4% of owl locations in high-severity burns); Jenness et al. 2004; Roberts et al. 2011; Lee et al. 2012.

It is also important to note that much of the project area is older forest within Late Successional Reserves, which serves as prime habitat for NSO and other old growth-dependent species. A substantial portion of the forest stands in units 2, 3, 4, and 5 average 176 years and older. See Map #1 below. Similarly, the average diameter at breast height of many of the stands in the

sale area is above 31 inches (this measure is identified by calculating the quadratic mean diameter of trees in the upper 25% of the canopy height). See Map #2 below.



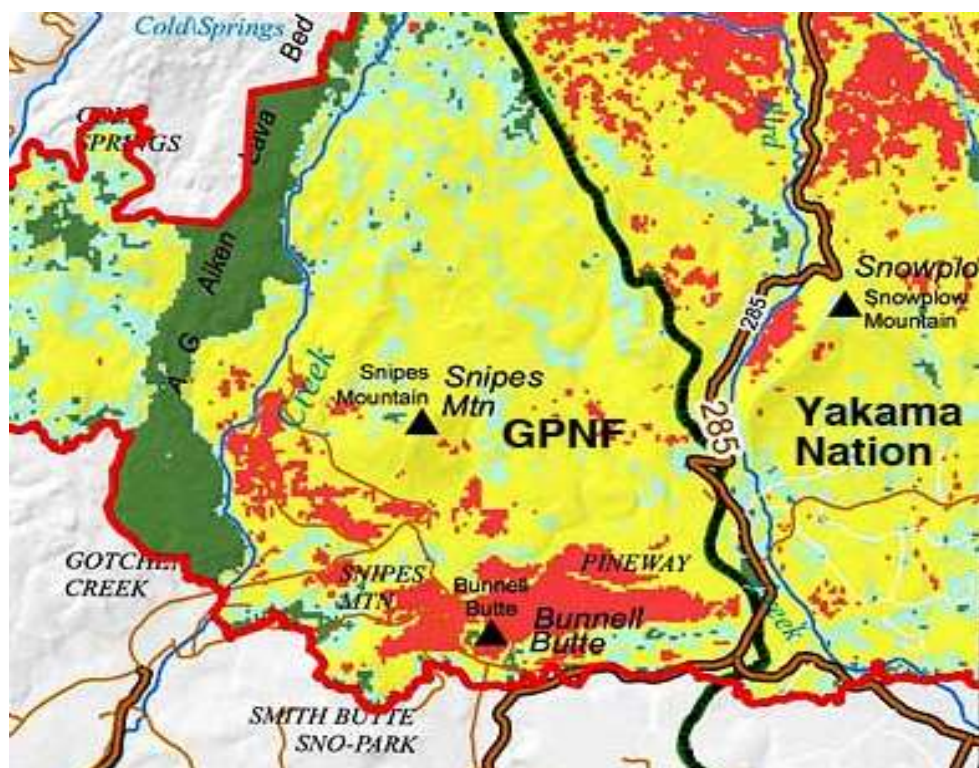
Map #1 – Cougar Creek Salvage Proposal Overlay with NSO and Stand Age



Map #2 - Cougar Creek Salvage Proposal Overlay with Quadratic Mean Diameter

It is unclear whether the Forest Service consulted with the U.S. Fish and Wildlife Service to determine the impacts of the proposed action on the spotted owl and NSO critical habitat. If not, we recommend that the agency do so to avoid violations of the Endangered Species Act. In doing so, the agencies must consider the best available scientific evidence on spotted owl use of recently burned forests. The Forest Service must also fully analyze the project in conjunction with other recently implemented timber harvest projects on all suitable spotted owl habitat within the project and analysis areas—including habitat necessary for connectivity between breeding territories and to maintain the population of non-breeding owls that is the likely source of recruitment into the breeding population. The analysis also needs to consider the impacts from past and current, ongoing projects in the surrounding landscape, including salvage projects on neighboring lands, that impact the larger owl population in which the birds within the specific project boundaries are embedded.

In addition, while the Forest Service states in the scoping notice that the Cougar Creek fire burned with high severity on national forest lands, it was actually a mixed severity burn. The project area in particular contains a range of low to high severity burn (ranging from light green to red, respectively), as illustrated in Map #3 below.



Map #3 – Cougar Creek Fire Burn Severity Map (based on BAER and EROS data)

Scientific studies have shown that spotted owls “will continue to nest in mixed-severity patches *provided territories are not “salvage” logged following a burn.*” See Dellasala, Ecosystem Benefits of Wildfire vs. Post-Fire Logging Impacts, *citing* Clark, D. A., et al. 2011. Survival rates of northern spotted owls in post-fire landscapes of southwest Oregon. *Journal of Raptor Research*

45:38–47. Clark, D.A., et al. 2013. Relationship between wildfire salvage logging, and occupancy of nesting territories by Northern Spotted Owls. *J. Wildlife Manage.* 77:672–688. Bond M.L., et al. 2009 (emphasis added). The Southwestern Oregon studies described above found that spotted owls entirely avoided burned areas that were salvage logged. See https://www.firescience.gov/projects/briefs/04-2-1-52_FSBrief15.pdf. Further, the Revised Recovery Plan for the Northern Spotted Owl demonstrates that “results from three radio-telemetry studies of spotted owls in post-fire landscapes indicate that spotted owls use forest stands that have been burned, but generally do not use stands that have been burned and logged” (USFWS 2011 p. III 48).

Consequently, the proposed action would remove owl habitat in the project area and could detrimentally affect spotted owls. A cause-effect relationship sufficient to meet the extraordinary circumstances requirement exists. Moreover, those impacts are increased if this project is considered in combination with salvage logging underway and/or proposed on adjacent lands that burned in the Cougar Creek fire.

II. Cumulative impacts preclude the use of a categorical exclusion for the project.

A categorical exclusion is defined as “a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effect...and for which, therefore, neither an environmental assessment nor an environmental impact statement is required.” 40 CFR § 1508.4. Further, “if the responsible official determines, based on scoping, that it is *uncertain* whether the proposed action may have a significant effect on the environment, prepare an EA...[or] the proposed action may have a significant environmental effect, prepare an EIS.” 40 CFR § 220.6(c) (emphasis added).

Multiple projects in the same geographic area have cumulative impacts, which are defined as “the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions.” 40 C.F.R. § 1508.7. The Cougar Creek Fire burned over 53,000 acres of lands across multiple land ownerships, including national forest and adjacent Yakama Nation, DNR, and private lands. The Yakama Nation is currently salvage logging its portion of the burn area, with plans to log roughly 14,000 acres total just east of this project area. In addition, WA DNR has proposed salvage logging on roughly 1,000 acres just east of the Yakama Nation lands. This entire area contains important NSO habitat, and cumulatively, salvage logging will have significant environmental impacts to NSO populations and habitat.

The best available science underscores that post-fire logging has direct, indirect, and cumulatively significant impacts on other wildlife, soil health, and hydrology. As Jerry Franklin stated, “based on our current understanding of forest recovery following disturbances, timber salvage is most appropriately viewed as a “tax” on ecological recovery.” Jerry Franklin, Testimony before the House Committee on Natural Resources, November 10, 2005. “Numerous studies on the widespread practice of post high-severity fire salvage logging have documented adverse effects on the black-backed woodpecker and other cavity nesting bird species (e.g., Hutto and Gallo 2006, Hutto 2006, Hanson and North 2008, Cahall and Hayes 2009, Saab et al. 2007, 2009, 2011).” Bond et al, 2012. *A New Forest Fire Paradigm: the need for high-severity*

fires. Wildlife Prof. 6, 46-49. “Existing post-fire salvage-logging studies reveal that most post-fire specialist species are completely absent from burned forests that have been (even partially) salvage logged” (Hutto 2006).

In addition, the project area is wholly in the boundaries of the Mount Adams grazing allotment. 516 cow/calf pairs are permitted to graze the allotment annually throughout the summer, which severely impacts soil and vegetative health. The Yakama Nation plans to allow cattle grazing on adjacent lands in 2016, so even if the Forest Service keeps the allotment in nonuse (which we believe should be for multiple seasons), there is a high likelihood of trespass onto these lands. Adding to these impacts, and those from firefighting, salvage logging and associated road building will result in detrimental impacts to soil health and vegetation.

For all of these reasons, and the fact that there is significant scientific controversy regarding the effects and impacts of post-fire commercial logging, the Forest Service should prepare an EA or EIS before proceeding with this project.

III. The purpose and need for this proposal is incompatible with LSR management goals under the Northwest Forest Plan.

The Northwest Forest Plan (NFP) does *not* in any way relax its Late Successional Reserve (LSR) management goals for salvage operations. Instead, the LSR salvage guidelines reiterate that “[b]ecause Late-Successional Reserves have been established to provide high quality habitat for species associated with late-successional forest conditions, management following a stand-replacing event should be designed to accelerate or not impede the development of those conditions.” *Id.* at C-14; *see also* NFP ROD at 8 (“Salvage guidelines are intended to prevent negative effects on late-successional habitat”). Moreover, the guidelines state that “[w]hile priority should be given to salvage in areas where it will have a positive effect on late-successional forest habitat, salvage operations should not diminish habitat suitability *now or in the future.*” *Id.* at C-13 (emphasis added).

Salvage logging would diminish NSO habitat suitability in the project area. While the Northwest Forest Plan permits salvage logging in very limited circumstances, the plan clearly prioritizes the preservation of LSR ecosystems over commercial benefits. Oregon Natural Resources Council Fund v. Brong, 492 F.3d 1120 (9th Cir. 2007). As such, this project is incompatible with LSR objectives under the Northwest Forest Plan.

IV. Salvage logging is incompatible with forest plan designations in the proposed project area and will negatively impact recreation.

According to the 1990 Gifford Pinchot Forest Plan, salvage logging is not allowed in inventoried roadless areas or unroaded recreation. The plan states, “Timber salvage should not be permitted. Trees may be removed for safety reasons, or to enhance recreation; e.g., to create a scenic view. Ordinary timber salvage should not be permitted.” Gifford Pinchot Forest Plan, 4-23. It is unclear how close the project area is to the inventoried roadless area boundary based on the scoping notice. If the units are included in the roadless area, they should be removed.

Further, the Forest Service provides no details on how many temporary roads would be built in the project area and where they would be located. We are opposed to including any temporary roads in the roadless area, or project area. As we have mentioned in previous comments, temporary roads can create soil compaction, alteration of the forest microclimate, alteration of the flow of water in the stand, erosion, sedimentation, and increased peak flows of nearby streams. Temporary roads can also detrimentally affect habitat for Northern Spotted Owl and a variety of regional species.

In addition, the Task Force is concerned about the impacts of salvage logging on recreation in the project area, including the Snipes Mountain trail and the Pine-Way trailhead. We do not support salvage logging adjacent to the trail, unless it is necessary for hazardous tree removal and the agency uses a hand fell and leave prescription. We also do not support building any temporary roads across or adjacent to trails.

V. We recommend hand planting and seeding native species as the only post-fire action in the project area.

a. Importance of post-fire ecosystems and impacts of salvage logging

As mentioned earlier, the Task Force does not support salvage logging in this project area. Post-fire ecosystems are incredibly important habitat for a wide array of species. Species diversity is often the highest after a natural stand replacement fire due to “an abundance of biological legacies, such as living organisms and dead tree structures, the migration and establishment of additional organisms adapted to the disturbed, early-successional environment, and temporary release of other plants on the site from dominance by trees.” Further, “naturally disturbed areas with a full array of legacies (i.e., not subject to post-fire logging) and experiencing natural recovery processes (i.e., not seeded or planted)—are among the scarcest habitat condition in some regions, such as the Pacific Northwest.” Noss, Reed F (editor), Jerry F. Franklin, William L. Baker, Tania Schoennagel, and Peter B. Moyle. Ecology and Management of Fire-prone Forests of the Western United States. Society for Conservation Biology, August 2006.

Many researchers have found that post-fire landscapes often recover naturally and that salvage logging negatively impacts their natural recovery processes. For example, scientists in the above-referenced paper made the following conclusions.

- “Post-fire (often called “salvage”) logging does not contribute to ecological recovery; rather it negatively impacts recovery processes, with the intensity of such impacts depending upon the nature of the logging activity.
- Post-fire logging destroys much of whatever natural tree regeneration is occurring on a burned site.
- Evidence from empirical studies is that post-fire logging typically generates significant short- to mid-term increases in fine and medium fuels. In some cases this may result in increased reburn potential rather than a decreased reburn potential, as is often claimed.
- In forests subjected to severe fire and post-fire logging, streams and other aquatic ecosystems will take longer to return to historic conditions or may switch to a different (and

often less desirable) state altogether. Following a severe fire the biggest impacts on aquatic ecosystems are often increased sedimentation caused by runoff from roads. High sediment loads from roads may continue for years, greatly increasing the time for recovery.

- There is no scientific or operational linkage between reforestation and post-fire logging; potential ecological impacts of reforestation are varied and may be either positive or negative depending upon the specifics of activity, site conditions, and management objectives. On the other hand, ecological impacts of post-fire logging appear to be consistently negative.

Id. at 9.

Many other scientists have reached the same conclusion.

[S]alvage logging often impairs key ecosystem processes such as hydrological regimes (e.g., soil erosion and consequent in-stream sedimentation; Helvey 1980; Karr et al. 2004; Reeves et al. 2006 [this issue]), cavity-tree formation, soil profile development, and nutrient cycling. In contrast to the natural recovery of a disturbed ecosystem, salvage harvesting has the potential to “convert a relatively intact system to a strongly modified site in which ecosystem control is reduced” (Cooper-Ellis et al. 1999:2693).

Lindenmayer, D.B., and R.F. Noss. 2006. Salvage Logging, Ecosystem Processes, and Biodiversity Conservation. *Conservation Biology* 20(4): 949–958.

Salvage harvesting may have impacts on biodiversity in ways other than through structural alteration of stands. For example, postdisturbance plant recovery can be changed (e.g., levels of resprouting; Cooper-Ellis et al. 1999; Lindenmayer & Ough 2006), leading to altered composition of plant species and abundance of plant life forms (Stuart et al. 1993).

Id. at 953.

In addition, it is important to recognize that burned stands are biologically diverse and contain important wildlife habitat for a variety of species, including the black-backed woodpecker—a WA State candidate species. Black-backed woodpeckers are early post-fire specialists that depend on recently burned forest for their habitat. Black-backed woodpeckers reach their highest densities in burned forest stands and “play a keystone ecological role in burned forests by excavating nest cavities that are later used by secondary cavity nesting birds,” as well as a plethora of forest invertebrates and mammals. See Bond et al, 2012. According to WDFW:

The species strongly prefers burns that have not been salvaged logged. Individuals were most common at sites with the highest level of snag retention (15-32 snags/ac) in salvage-logged stands in the Washington Cascades (Haggard and Gaines 2001). Birds did not nest in stands with low densities of retained snags (0-5 snags/ac). In burned ponderosa pine/Douglas-fir forest in southwestern Idaho, Saab and Dudley (1998) noted that black-backed woodpeckers favored units that had not been salvage-logged, and

nest sites were typically in unlogged units with a relatively high density of small hard snags (>50 snags [>9" dbh]/ac).

See http://wdfw.wa.gov/conservation/endangered/species/black-backed_woodpecker.pdf.

b. Seeding and planting of native species alternative

While we expect that there will be natural tree regeneration in some of these stands, we advocate for hand planting and seeding of native species as the primary focus of post-fire management in this project area. Typically, areas that would most benefit from planting and seeding are forests that do not have an existent seed source for the proper reestablishment of a healthy ecosystem. We would like to see monitoring conducted to determine where this situation might exist in the project area. In areas where seed sources are lacking, we suggest hand planting and seeding a mix of native trees (ponderosa pine, Douglas fir, and larch), shrubs, and grasses. The Task Force would be happy to bring in volunteers to participate in this effort.

VI. Conclusion

The Task Force respectfully requests that the Forest Service withdraw the CE and refrain from salvage logging. If the Forest Service intends to proceed with the proposal, the agency must conduct a more thorough analysis of this proposed action in an EA or EIS, including an analysis of cumulative impacts and a reasonable range of alternatives.

Sincerely,

A handwritten signature in cursive script, appearing to read "L. Fulkerson".

Laurele Fulkerson
Policy Director